

# Hawaiian Gazette.

VOL. XXXVIII, No. 56.

HONOLULU, H. T., FRIDAY, JULY 10 1903—SEMI-WEEKLY.

WHOLE No. 2502.

## HOUSE DECIDES TO WAIT WITH THE LOAN BILL

### Other Appropriations Must Be Put Through Before That One Is Passed.

The success or failure of the session of the Legislature now rests with the House, and only two days remain in which to finish up the work of the extra term. From utterances made by Republicans, on the floor of the House, it would appear that the Loan Bill is in the greatest danger; that this measure will not get through unless all other appropriations have been put by and signed, and that if there shall be any lack of time, the Governor will be asked to grant an extension, failing which an attempt will be made to force him to do so.

The last of the regular budget measures was passed by the House yesterday, the Eighteen Months Salary Bill, and it will be received by the Senate this morning. There will be some hard work upon it, for the salaries will have to be kept on the same level with those of the Six Months Bill, if there is to be any attempt at coherency, and this will increase the work before conference committees today.

The Senate passed the Coney claim Bill, against the recommendation of the committee to which it was referred, and will have it up on third reading today. The Eighteen Months Current Account Bill was passed third reading.

Senators are in a quandary over the status which will ensue if the present session shall fail to put through the appropriation measures. Yesterday Senators Crabbe, Paris and McCandless waited on the Attorney General to secure an interpretation of the clause which has caused some comment, bearing upon the availability of the old appropriation measures.

The section of the Organic Act bearing upon this matter reads thus:

Sec. That in case of failure of the Legislature to pass appropriation bills providing for payments of the necessary current expenses of carrying on the government and meeting its legal obligations as the same are provided for by the then existing laws, the governor shall, upon the adjournment of the legislature, call it in extra session for the consideration of appropriation bills, and until the legislature shall have acted the treasurer may, with the advice of the governor, make such payments, for which purpose the sums appropriated in the last appropriation bills shall be deemed to have been reappropriated. And all legislative and other appropriations made prior to the date when this Act shall take effect, shall be available to the government of the Territory of Hawaii.

The contention is made that this is permissory only until the legislature shall have acted, and as in the event of failure to appropriate now, the clause making an extra session imperative is operative, just as much as it was on the ending of the regular session. Attorney General Andrews took up the matter at once and will give an opinion today.

#### IN THE HOUSE

When the House began business it was to receive notice of the passage of the Dole compensation bill by the Senate.

Kumalae presented the following concurrent resolution:

Whereas the Legislature of the Territory of Hawaii has appropriated different large sums of money to be expended by the Road Department, therefore, be it

Resolved and expressed by the House of Representatives, the Senate concurring, that it was their intention in making said appropriations that the laborers working under said Road Department be paid henceforth from said appropriations at the rate of not less than one dollar and fifty cents a day. The resolution was adopted by nineteen to four.

#### EIGHTEEN MONTHS BILL PASSED.

Chillingworth presented the conference report on the Eighteen Months Current Account bill, which was adopted by twenty-two to one, passing the bill finally.

Kealawaa presented a resolution instructing the Attorney-General to notify the several sheriffs that persons engaging in athletic sports on Sundays be not arrested. The resolution was sent back to the member as not in proper form.

#### SALARIES ARE RAISED.

Taking up the eighteen months salary bill Harris introduced and had passed an amendment providing a salary of \$200 a month for the civil engineer under the land registration court.

Aylett moved that the item of guards

for public buildings be specified four guards at \$60 a month each, which carried.

Vida moved that the salary of the deputy insurance commissioner be \$200 a month instead of \$125, explaining the necessity for a good man there, and the fees that must be collected. The amendment was adopted.

Aylett moved to make the salary of the bookkeeper in the Public Works Department \$200 a month instead of \$150, which went through by a close vote.

Kumalae had the Thomas and Emma Square payroll specify four men at \$40 a month. Kellinot then moved the raising of the salary of the secretary of the Board of Education to \$200 a month which was carried. Chillingworth tried hard to secure the raising of the salary of the chief health officer to \$250 a month, Paale opposing strongly, the amendment being carried by thirteen to twelve.

#### PILOT BOATS PROVIDED.

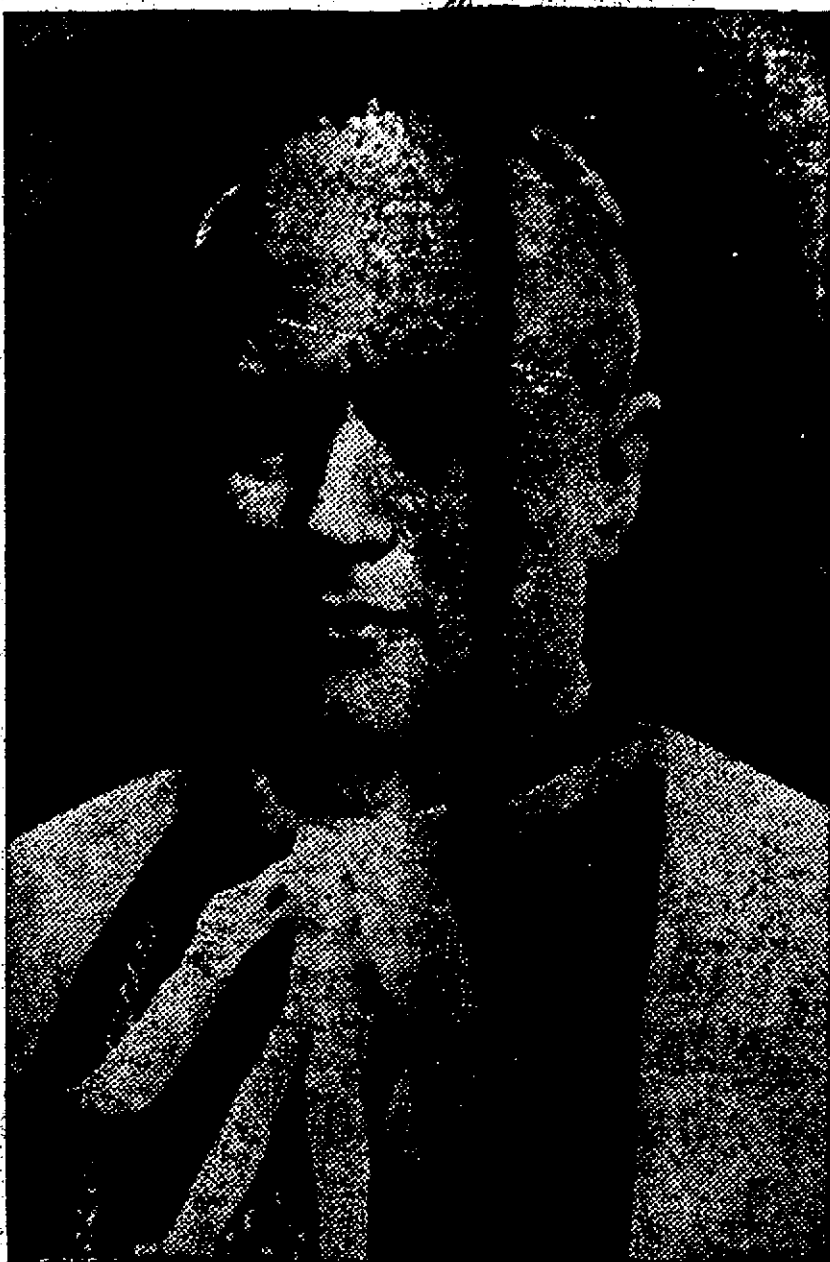
Kumalae moved that the pilot boys item be made eight boat men at \$65 a month, \$9,360, instead of \$8,640, which was carried.

Harris moved to insert an item "Salary of pilot Kahului, without fees, \$3,600." Kellinot tried to raise the point of order against it but failed, and the item was then passed.

Kellinot then had inserted an item "Payroll pilot boat Kahului, four men at \$45, \$4,680." Harris moved to make the pay \$20 a month which was lost and the amendment as proposed by Kellinot went through by a fair majority.

Paale moved to cut the salary of the bacteriologist in half, saying that he held post mortems and charged \$20 for each. The motion was lost.

Lewis then secured an amendment for



CARDINAL GOTTI, EMPEROR WILLIAM'S CHOICE FOR THE POSSIBLE  
SUCCESSOR OF POPE LEO XIII.

## BOYCOTT OF S. S. KOREA BY CHINESE MERCHANTS

### It Will Be Made Absolute In Default of Con- siderate Treatment of Chinese Residents By Commander Seabury.

The Chinese merchants of Honolulu have declared an alternative boycott upon the Pacific Mail steamship Korea. For the saving clause to prevent the boycott being made absolute, the merchants require an assurance that the indignities they feel have been put upon them and their people by the commander of the Korea shall cease.

The most recent instance of the grievance and that which has aroused the entire Chinese mercantile community to action is the refusal of the Korea's commander to allow Wong Leong to go aboard the steamer, when last in port on the voyage from San Francisco to the Orient, to see his son off to Japan. The lad was going as a first class passenger to spend a vacation in the Land of the Rising Sun, taking in the international exposition at Osaka.

Not only was Wong Leong turned back from the gangway, but so were thirty or forty Chinese residents who desired to see friends off to the Orient. Fully eighty per cent of the number, withal, are American citizens. Wong Leong is a leading Chinese merchant, an American citizen and married to a Hawaiian woman.

This latest instance of offense is one of a category extending back to the first appearance of the big liner Korea on this route. It is complained that the sister ship Siberia of the P. M. S. S. Co.'s line is an offender, through her commander, in about an equal degree,

a pilot boat at Hilo, four men at \$65, which had practically no opposition.

#### CONGRESS ASKED TO ACT.

Andrade secured a suspension of consideration of the bill for a moment and presented the following joint resolution:

To the Honorable Senate and House of Representatives of the United States:

Your petitioners, the Senate and House of Representatives of the Second Legislature of the Territory of Hawaii, respectfully represent:

That the cost and expense of the maintenance and care of the several harbors and lighthouses in the Territory of Hawaii, now and at all times heretofore borne by the Territory, should be borne by the Federal Government.

That the building of a breakwater at Hilo, on the island of Hawaii, is

but the Chinese merchants deem it proper to tackle but one of the levathans at a time.

The alternative boycott is the outcome of a series of earnest meetings. Its form is that of a set of resolutions, which has been signed by all of the Chinese merchants in town, as one of them is authority for saying. This is apart from a complaint forwarded to the Secretary of the Treasury.

It appears that Captain Seabury of the Korea disregarded the passes furnished the Chinese to go aboard his ship by both Collector Stackable and H. Hackfeld & Co., agents of the line.

One Chinese merchant stated to an Advertiser reporter that the Japanese liners attempted the exclusion act on the Chinese here, but changed their policy when the Chinese business guild caused an absolute cessation of its patronage in both passengers and freight to the line.

The Chinese colony have had the grievance in question rubbed in, upon different occasions, by the repulsion from the gangways of the offending steamers even of consular officers.

Their large proportion of the traffic done by transpacific steamers gives the Chinese merchants a rather strong whiphand of the situation. They have not a scintilla of complaint to make against H. Hackfeld & Co., Ltd., who have always treated them with the utmost consideration and kindness, and whom they recognize as their friends in the present difficulty.

very necessary for the better protection of shipping, but is of such magnitude as to be impossible to be built by the Territory.

That public buildings are necessary to accommodate the Federal Courts, post offices and custom houses, United States District Attorney, Marshal, Collector and other Federal officers, in Honolulu and in Hilo.

That the establishment and construction of the Naval Station at Pearl Harbor, and of a military post upon the lands selected for that purpose by the government, is of supreme importance for the protection of the islands, and for the safeguarding of the Mainland.

That favorable consideration by Congress be given to the claim of the late Queen Liliuokalani, now a loyal, private citizen of the United States, and that suitable provision be made for her.

That for the purposes of encourage-

## POPE MAKES HIS FUNERAL PREPARATIONS

### He Is Being Kept Alive By the Injection of Heart Stimulants.

(ASSOCIATED PRESS CABLEGRAMS.)

ROME, July 9.—The Pope's case is hopeless. He is kept alive by the injection of heart stimulants. Tonight he had some sleep. His Holiness has made burial preparations, ordering the details of his funeral. Foreign cardinals are starting for Rome.

#### A Fatal Hot Wave.

NEW YORK, July 9.—There have been twelve deaths from heat here today and forty prostrations. Two deaths are reported from St. Louis and many prostrations from other cities.

#### Courtesies of the King.

LONDON, July 9.—King Edward bade President Loubet an affectionate farewell today and cordially welcomed the American naval officers.

#### No More Money Wanted.

CANTON, July 9.—Further contributions for the relief of Kwangsi are unnecessary.

#### Picnic Wagon Run Down.

CINCINNATI, July 9.—An express train collided today with a picnic wagon killing five and hurting four.

#### Irmgard Wins the Race.

SAN FRANCISCO, July 9.—The barkentine Irmgard has arrived, beating the Johnson in the race from Honolulu.

#### Gold In a Beach.

SEATTLE, July 9.—A rich gold beach has been discovered in Alaska near the American side of the White river.

#### Wheat Falling Off.

PORTLAND, Ore., July 9.—There is a decrease of six million bushels in the wheat crop of the Northwest.

#### Hudson River Cruise.

OYSTER BAY, July 9.—The President's wife starts today on a cruise in the Hudson river.

#### Philippine Certificates.

WASHINGTON, July 9.—Another issue of \$3,000,000 Philippine certificates will shortly be made.

#### More Sails For Challenger.

NEW YORK, July 9.—A taller mast has been inserted in the Shamrock III to give her more sail.

#### Ames Must Go to Prison.

MINNEAPOLIS, July 9.—The Supreme Court has affirmed the conviction of former Mayor Ames.

ROME, July 9.—Cardinal Volponi died today.

HENLEY, July 9.—The Diamond Challenge sculls race was won here today by F. S. Kelly.

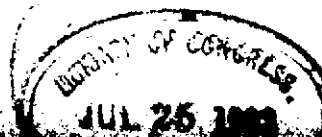
DENVER, July 9.—The National Christian Endeavor convention held here has re-elected all the old officers of the organization.

CALAIS, July 9.—President Loubet arrived here today on his return to Paris, after visiting England.

SAN FRANCISCO, July 9.—The Pinole Powder Works blew up again today. One man was killed and a number of others injured. The explosion did not include the whole works, hence the loss of life was much less than in previous similar disasters. The powder works have gone up a number of times, killing a dozen or more persons, mostly Chinese.

WASHINGTON, D. C., July 9.—Steps are being taken by the government to prevent further interference with American shipping in the region of the Orinoco. The seizure of American vessels by the Venezuelan government is being investigated and will be acted upon when full reports are received. War vessels will be ordered to proceed to the defense of American shipping threatened.

ROME, July 9.—The Pope's illness has been complicated by an attack of diarrhoea in addition to his other ailments. An additional doctor was summoned to attend him at 9:30 last night, consulting with the other physicians in the case. The Pope's condition is regarded as very critical. A liquid gathering has developed in the pleura and his heart is very weak. Breathing is very infrequent and the kidneys are inactive.





# WIRELESS FINANCES ARRANGED

## New Deal Pays Off Old Debts of Concern

(From Wednesday's Daily.)

By the terms of an agreement reached yesterday, between the creditors of the Inter-Island Telegraph Company and the directors of that corporation, the Wireless concern, the affairs of that company are in a fair way to be adjusted. Then Henry Waterhouse Trust Company will act as the fiscal agent of the concern and will advance the money necessary to place the system in such physical condition as will enable it to take advantage of the subsidy granted by the Legislature.

There were present at a meeting held yesterday morning representatives of all the heavy creditors of the concern. The plans for the arrangement were submitted at the suggestion of the men who have had control of the affairs of the Wireless Company. These contemplate the payment of a substantial advance against the bills outstanding and the provision for the completion of the system. The Trust Company has all arrangements made for the financing of the proposition and as soon as the papers are all signed placing the company in its hands will order the work to proceed.

By the terms of the agreement the Waterhouse concern will take complete control of the working of the Wireless concern. The business will be transacted through its offices and there will be nothing left of the old management. Some such arrangement as this is necessary as the Wireless is now without the aid which has been guaranteed for a year past by the business community. This agreement expired with the opening of this month and it now becomes necessary to arrange for the extensions and improvements which will make available the \$1,000 a month which will enable the system to continue its operation.

The cash needed at once will be about \$1,500, which will pay most of the bills and salaries. Then the work will go on in the putting in of the improvements. Just what these will cost has not been settled. There are still estimates to be put in and until all are at hand, there will be no definite estimate of the total of the cost. The immediate work is the completion of the Nawiliwili station, which will enable the opening of communication with Kaula. There is now a proper pole in place and during the week there will be tests made. The Barber's Point station is ready for work and communication will follow immediately upon the completion of the Kaula station.

The land lines will represent the largest expenditure which will be necessary in the rehabilitation of the system. About 120 miles of line must be built. This will comprise the stretching of the wire from this city to Barber's Point, a distance of some thirty miles, and from Mahukona to Hilo, ninety miles. It is understood that the telephone companies have agreed to permit the stringing of the telegraph wires upon their poles, which means the escaping of the heaviest portion of the cost. The land lines are necessary before there can be the proper connection as contemplated in the subsidy bill.

It is the plan to have the permanent stations of the company Nawiliwili, Barber's Point, Molokai, Lahaina, Mahukona, as the Lanai station is to be cut out very soon.

## MORTUARY FOR MONTH OF JUNE

There were but sixty deaths during the month of June, an unusually small death rate. Of these but twenty-five were Hawaiians, which is also a somewhat smaller percentage than usual. The mortality among children was large, fifteen deaths being of infants less than one year of age. Four of the persons who died during the month had reached the allotted age of three score and ten.

There were nine deaths due to pulmonary tuberculosis, and five resulting from accident and violence. One death is put down as the result of difficult labor.

The summary of deaths is as follows:

Febrile, 5, diarrheal 6 venereal 2 dietetic, 2, constitutional 10 reproductive, 2, osseous and integumentary, 2 accident and violence 3 homicide, 1, suicide, 1, developmental 5 nervous 5, circulatory, 2, respiratory, 9 digestive, 3, urinary, 2

NOT A MINUTE should be lost after a child shows symptoms of cholera infantum. The first unusual looseness of the bowels should be sufficient warning. If immediate and proper treatment is given serious consequences will be averted. Chamberlain's Colic, Cholera and Diarrhoea Remedy is the sole reliance of thousands of mothers and by its aid they have often saved their children's lives. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Benson Smith & Co., Ltd., Agents for Hawaii.



CARDINAL RAMPOLLA, WHO MAY BE THE NEXT POPE.

## REPORT OF THE KONA ORPHANAGE

Kona Orphanage, Kailua, Hawaii,

July 1, 1903.

Editor Advertiser: The following is the report of the Kona Orphanage for the month ending June 30, 1903:

### EXPENSES.

Salaries . . . . . \$229.00  
Wages . . . . . 17.00  
Food . . . . . 38.00  
Supplies, clothing, bedding and incidentals . . . . . 205.12

Total . . . . . \$489.21

### RECEIPTS.

Mr. Charles M. Cooke . . . . . \$100.00  
Miss Margaret L. Hopper . . . . . 20.00  
Mr. James B. Wallis . . . . . 5.00  
Mrs. A. E. Beard, Modesto, Cal. . . . . 250.00  
Taken in at Orphanage . . . . . 12.45

Total . . . . . \$387.45

Donations of food, clothing, etc.:  
Miss May Ferreira, new clothing.  
Kahumanu School, box clothing.  
G. Sato, box of biscuit and picture.  
Miss L. A. Tisdale, clothing and magazines.

Mr. T. E. Robinson, 4 books for library.  
Miss M. Galpin, Hampton, Va., 2 books.

Dr. M. M. Waldron, Hampton, Va., 1 book.

The new month finds all well. The family has increased by one, the latest addition being a baby of three months. We are in need of money to carry the work on. This month's report as last shows that the income is not sufficient to meet the expenses. Any aid will be most gratefully received.

Those desiring to help in the care of the homeless and friendless children here gathered, will please deposit money with the banking house of Bishop & Co. Sincere thanks is felt towards all who have in any way contributed to the support of the institution.

Submitted by

HELEN L. JAMES,

For Alice F. Beard, Manager.

### A Jap Outing Affray.

Deputy Sheriff Lane of Koolau brought a Japanese into the city yesterday and charged him with stabbing another Japanese at Kahuku. The Japs were celebrating in their camp and in a drunken brawl a man named Kawamoto was stabbed. The Koolau police acted with promptness and soon after the cutting affray were on the scene and arrested Kanda Kitigawa and Horio who are charged with the deed in the bushes near the camp. Kitigawa's blood stained clothes were found and it is evident that a quick change of apparel was made after the affray. Horio is charged with starting the fight and the other Jap with doing the cutting. Neither of the prisoners denies the crime. They claim that the trouble was due to the fact that they were under the influence of liquor.

### Kona Wants the Band.

Word seems to have reached the people of Kona that an appropriation has been passed which will enable the band to make a visit to that district. The people are all aroused over this news and committees are being appointed to make arrangements for the reception of Barker and his band boys. The pigs are being fattened and the band is guaranteed any number of luau whenever they put in an appearance.

## CAMPBELL'S NAME CAUSED MORE BICKERING IN HOUSE

### Supt. Cooper Appeared Before Lower Body and Explained Why He Needs Technical Assistance in Handling Appropriations.

(From Wednesday's daily.)

Enemies of Marston Campbell occupied a deal of the time yesterday afternoon in the House, in trying to cripple the Department of Public Works, but after the statement of Superintendent Cooper, the item providing for a supervising engineer was passed by the bare majority of one.

The fight was made a personal one, no attention being paid to the arguments that the department needs a man skilled in engineering and similar branches, but Campbell was the topic which occupied the time of the Home Rulers, Kumalae even declaring that the vote to ask Cooper to remain in office was given to prevent the contingency of Campbell being put in the top place.

The Loan Bill vote was reconsidered but on the showing that only thirteen votes were present for the bill, there being several absentees, consideration of the measure was deferred. The Superintendent of Public Works was twice before the House, the first time to explain the Coney Estate Bill, after which it passed third reading.

The Senate worked little, convening in the afternoon for the purpose of watching the action on the Loan Bill.

### IN THE HOUSE

The House began its session with the receiving of messages from the Senate, two announcing the appointment of conference committees and the third telling of the adoption of the conference committees' report on the Loan bill.

Kumalae presented the following joint resolution:

"Be it resolved by the Legislature of the Territory of Hawaii that the laborers working under the Road Department be paid hereafter at the rate of One Dollar and Fifty Cents per day."

As soon as Kupieha had seconded the resolution Paele moved the previous question but Greenwell indicated his intention to speak and the previous question was lost. He argued that the cost of living would not make such high wages necessary in country districts. He moved to table, which was lost.

### WANTED THE RATE FIXED.

Kumalae argued that the cost of food and clothing was greater even in the country than in the city. He argued that the statute giving the road boards the right to fix wages would not be affected by the resolution and declared that no man should work for less than \$1.50 a day.

Kellinot raised the point of order that the resolution was out of place during this session which the chair sustained, saying that the Senate could not pass it in the shape as introduced, but that if it declared the intention of the Legislature in the appropriation bills to provide a certain rate of wage, the Legislature could pass it.

Paele moved to override the ruling of the chair but the House sustained the speaker and the resolution was sent back to its parent.

(Continued on page 7.)

# THE POPE'S LIFE STILL HANGS BY SLENDER THREAD

## Great Britain Is Now Anxious Over India in Case of a War With Russia.

(ASSOCIATED PRESS CABLEGRAMS.)

ROME, Italy, July 7.—The physicians in attendance on His Holiness the Pope, performed an operation on him, puncturing the pleura, and removing the pus which had accumulated, from the lungs. The lungs were thus relieved, and there was a slight improvement noticed in consequence tonight.

ROME, July 8.—1 a. m.—The Pope is sleeping uneasily under the influence of chloral and digitalis. He has great difficulty in breathing but shows a marvelous vitality. His mind is clear and he held a consultation with Cardinal Gottl yesterday over the affairs of the Church.

ROME, Italy, July 8.—Pope Leo is gradually sinking, the improvement following yesterday's operation being only temporary. He is suffering from heart failure and the kidneys fail to act, showing that the patient's tremendous physical vitality is gradually giving away. A bulletin issued tonight states that the Pope is slightly better but it is apparent that he is being kept alive by the strongest restoratives known to medical science.

ROME, July 8.—Though the condition of the Pope is desperate, Dr. Mazzoni states that his recovery is not impossible. The state of his kidneys is the alarming feature. The Pope is able to walk unassisted from his bed to his chair. To silence clamor in certain quarters other physicians may be called into consultation.

SIMLA, July 7.—Sir Ernest Satow, British Minister to Peking, is coming to confer with Lord Curzon, the viceroy of India, on the effect an Anglo-Russian rupture would have on India through Afghanistan.

BOGOTA, July 7.—In public discussion and in Congress there is strong opposition to the canal treaty but nothing definite has been enacted.

OYSTER BAY, July 7.—The President and Secretary Hay held a conference today on the Manchurian issue, Alaskan boundary and Jewish petition.

ROCKFISH, Va., July 7.—A collision occurred on the Southern railway today in which twenty-four were killed and many injured.

BERLIN, July 7.—Turkey has ordered a hundred Krupp quick-firing guns for use on the Bulgarian frontier.

SOFIA, July 7.—Twenty thousand Bulgarian reserves have been called out ostensibly to attend maneuvers.

LONDON, July 7.—President Loubet dined with King Edward at the French embassy today.

EVANSVILLE, Indiana, July 7.—The fatalities from the race disturbances here have been so far, six dead, four fatally injured and 16 badly injured. The militia have dispersed the mob and the negroes who were threatening to massacre the whites and burn the town are fleeing in every direction.

EVANSVILLE, July 7.—Eight companies of militia are under arms with gatling guns. There is apprehension of further trouble.

EVANSVILLE, Ind., July 8.—The troops are in full control of the city and the strikers are quiet. Within the last day or two the militia has been strongly re-enforced.

## TANBARA GISABURA IS DENIED CLEMENCY

WASHINGTON, July 7.—Tanbara Gisaburo, the convicted Japanese murder in Hawaii, has been denied executive clemency.

Tanbara Gisaburo, the Japanese cabin-boy who brutally murdered Captain Jacobsen, master of the schooner Fred J. Wood while at sea, was found guilty of the murder last October in the Federal Court and sentenced to hang on December 26. Just before the date for the hanging local Japanese made a strong appeal to Gov. Dole in his behalf and the Governor ordered a reprieve until the papers in the case could be forwarded to President Roosevelt. The President has had the matter in hand for nearly six months. Tanbara is in Oahu Prison.

LONDON, July 7.—President Loubet of France was entertained by the Lord Mayor, Sir Marcus Samuel.

PEKING, China, July 7.—The United States, Great Britain and Japan are preserving an independent attitude in their actions regarding Manchuria, awaiting instructions from their respective capitals.

NEW YORK, July 7.—Cassini, Russian Ambassador to the United States, whose recall is attributed to the displeasure of the Czar at his failure to detach the United States from Great Britain and Japan in the attitude on the Far Eastern question, sailed from here today for Europe.

PORTSMOUTH, England, July 7.—The American fleet which received such attention from the German Emperor and the German navy at Kiel, was given a royal welcome on its arrival here. Nothing was left undone to make the welcome noteworthy.

SEOUL, Korea, July 7.—It has been discovered that the Russians are now laying telegraph cables across the Yalu. This is regarded as unmistakable evidence that she is expecting war with Japan and is strengthening her position in every possible way as well as preparing for an actual campaign in the field.

BALTIMORE, Md., July 8.—Cardinal Gibbons left Baltimore today for a trip to Rome.

NEW YORK, N. Y., July 8.—The Shamrock III again defeated the Shamrock I in a test race today.

CUIDAD BOLIVAR, Venezuela, July 8.—It is reported that five American vessels have been captured—three by the rebels and two by Government troops.

SAN FRANCISCO, July 8.—Many dutiable articles were found in the baggage of passengers arriving on the City of Peking which had passed the Honolulu investigation.



Tanbara, the Murderer for Whom President Roosevelt Declined to Exercise Clemency.



## DRAMATIC BYPLAYS

### Argument Waived by Humphreys In Modesty.

(From Wednesday's Daily.)

Another of those little dramatic by-plays that have occasionally lived up to the disbarment trial occurred just after the defense rested close to the noon hour yesterday. Frank E. Thompson's evidence in his own behalf was concluded with a brief cross-examination by Attorney-General Andrews.

A. S. Humphreys rose to say that he would be willing to have the case submitted on the evidence. Argument would involve an analysis of his motives and character which he was modest enough not to be desirous of making and he was not represented by counsel. Accordingly he would waive argument.

Mr. Thompson stepped forward to say that he would not be bound by anything Judge Humphreys said now any more than during the taking of evidence. He did not possess such a modesty as Judge Humphreys. This was a serious matter for himself and his family.

"I will argue the case for my family," Mr. Thompson concluded.

#### AN IMPULSIVE PARTNER.

In the course of his evidence Thompson said Humphreys was a very impulsive man. By way of illustration he referred to the request Humphreys made to keep his name out of the Ellis pleadings, on account of the family relations between Magoon and himself. Two or three days later Humphreys suddenly appeared in court and asked to be entered as counsel of record in the case.

Attorney-General Andrews did not cross-examine Thompson at great length. After the waiving of argument incident, he stated that he desired to put on some rebuttal, and the court took recess.

#### MORE DRAMATICS.

There was another tincture of drama thrown into the proceedings early in the rebuttal.

Attorney-General Andrews on the witness stand contradicted, under strong fire of objection, the version of the junior partner, Watson, of an interview with the witness after Magoon filed the charges against the firm. He said he could not have informed Watson that his name was not mentioned, because he had the letter under his hand and knew it contained charges against Humphreys, Thompson & Watson. Watson told him he knew absolutely nothing about the case and asked him to leave his name out of the charges, saying he was a young practitioner and it meant a great deal to him.

Mr. Watson, who joined Humphreys in saying he had no objection to this evidence when Thompson objected at first, now rose and claimed the privilege of saying a word on his own behalf. He would waive all formalities and ask that he be joined as a respondent in the case with Humphreys and Thompson. Mr. Humphreys joined in the request and Mr. Thompson said, "Emulating the example of the Biblical character Job and his friends, I would also ask that Mr. Watson be joined as a respondent."

Chief Justice Frear could hardly see how Watson could be joined at that stage, but, Watson persisting and saying he was acting of his own motion, the Chief Justice said the court would bear the request in mind if anything developed in the evidence to require it.

#### MAGOON CONTRADICTS.

J. Alfred Magoon was called but before he gave any evidence a motion by Thompson to strike out the Attorney-General's testimony relative to Watson was denied. Magoon contradicted the evidence of Humphreys about a certain affidavit. He never knew anything about the subject until the trial of this case. Against Thompson's objection that it was not rebuttal evidence but a retrial of the case, witness denied the conversation about the Sumner case during the midnight ride to the fire in town. Under the circumstances, each of them being anxious lest his own property was burning—speeding to the scene behind Magoon's fastest horse—he thought it very improbable that they discussed law suits by the way. Thompson cross-examined him minutely on the facts relative to the fire, the place from where it could be seen to be neither the steam laundry nor the law office, etc.

#### THAT LETTER AGAIN

Henry E. Highton, being asked if what Mrs. Buffandean had testified was true—that she referred the letter witness wrote for the Bishop and the letter of the Ellises acknowledging it to her husband, and that witness told them it was "all right" and advised them to sign the acknowledgment, etc., answered that he regarded Mrs. Buffandean as a highly educated woman.

Mr. Thompson objected to conclusions or argument from witness although he was an attorney, and the court ordered the answer stricken out.

Witness did not remember that Mrs. Buffandean referred the letter to her husband; was determined that they should understand the letter, and if Mrs. B. had referred it to her husband witness should have objected.

Mr. Thompson moved to strike out the determination of witness and Andrews argued contra that witness had a right to show why the letter was not referred to Buffandean. Motion denied by majority of court.

Could not remember a conversation in which W. S. Ellis asked if the letter was all right, and witness telling him it was only to prevent the settlement with Maria S. Davis. As a matter of

fact, W. S. Ellis interpreted the letter into Hawaiian for the others.

Mr. Thompson objected to a question carrying some of his evidence, partly because, he said the Attorney General gave a garbled version of it. He appealed to the record and there was a protracted search for the passage wanted in the stenographer's notes. Witness did not remember exactly, but had an impression that he handed the Ellis answer to Thompson in witness's own office, and not in that of Humphreys, Thompson & Watson. Very likely he did hesitate to sign that firm's name.

#### WHAT HE DID KNOW.

Witness could not say if it was understood at the settlement that the remainder was to be over for the benefit of the Ellises, but did know it was understood that the remainder—that was, the \$110,000 less the several payments—should be held by the Bishop as trustee for John K. Sumner.

It was not true what Humphreys said about obtaining a copy of the Ellis letter from witness. On the 18th of December Humphreys asked him for a copy of the letter, which was written on the 22nd of October, and witness furnished him with a copy the next day, December 19, 1902. He knew the dates exactly because he kept a record.

Mr. Humphreys here stated that Mr. Andrews misquoted his testimony, as there was nothing inconsistent in it with the statement now made by witness.

#### HUMPHREYS PLEASANT.

Witness met Humphreys in Bethel street and in conversation told him he wrote the Ellis letter for his own protection. After the 18th of December he met him occasionally and Humphreys was always pleasant.

Mr. Highton here began to tell about a matter put in his hands by Wilson and Denman, clients, and was relating that he had seen S. M. Damon, Cecil Brown, Denman, etc., about Kona Sugar Co. bonds, when Justice Galbraith asked the Attorney General what was the use of all that. Mr. Andrews assured the court that it was connected with the evidence of Humphreys about the interview with Highton in his office. Witness claimed for himself he had the right to show how he went to H. T. & W.'s office.

Mr. Humphreys (echoing a remark by Mr. Thompson)—"And how you were kicked out."

#### THE STATEMENT UNTRUE.

Mr. Highton—"No, I was not; that part is not true."

Witness went on to say that he was telephoned for (Thompson interrupted sarcastically to say witness might as well say if the telephone was working that day); found Humphreys sitting there alone in his own office. Humphreys said to him, "You went to Mr. Damon first?" "Yes," witness answered. Humphreys then said, "you knew that we were attorneys for all the bondholders?" "I did not," was the reply.

#### HUMPHREYS SURLY.

Humphreys then dropped the business on which witness went and referred to the Sumner business. He charged witness with writing a letter and produced a letter, reading extracts from it; then called in Thompson; Humphreys became rude and unmannerly, and said, "This is the reddest outrage that I have ever encountered in my professional experience." Witness suggested that perhaps his clients would call on him personally. He then picked up his hat and said "Good afternoon," to which Humphreys responded "Good afternoon" and witness walked out.

#### DENIES THE DAMNING.

Mr. Highton stated that, as to the epithets Humphreys and Thompson swore were applied to him by Humphreys, they were not used—at least not in his presence.

Cross-examined by Thompson, witness said it was altogether likely he corresponded with Judge Humphreys down to March this year; his relations with him were pleasant until that time. Asked if his record book showed the conversation with Humphreys that terminated so abruptly, witness replied, "Yes, here it is, I will show it to you." He then read an account of the conversation, ending with this resolution: "After a somewhat unpleasant discussion I left the office and hereafter I am pax with Judge Humphreys."

Again he denied that he had been called a cursed scoundrel and fraud, in other words sworn to by the respondents, to his face by Judge Humphreys, adding, "I was there and my hearing is tolerably good."

#### TO THE COURT.

Mr. Highton answered a series of questions by the court, started by Justice Frear. He said the only person he represented technically was John K. Sumner, but as Sumner wanted to pay the Ellises money he incidentally represented them; must have had conversation with Thompson before writing the Ellis letter, because Thompson prepared the receipts for the settlement; the matter was all talked over beforehand, and Thompson might have known amounts to put in without direction of witness.

#### CLAIMS PRIVILEGE.

Mr. Thompson claimed the right, since the court had opened the matter of distribution, to question witness on the same line previously disallowed. One reason was to test the memory of witness, another to show that Humphreys, Thompson & Watson were not responsible for the missing \$900 and odd alluded to in the Supreme Court decision. Witness accounted in detail for all the payments made in the settlement, and said he had an impression that the Bishop settled some small debts of Sumner. All of the \$110,000 from the railway company was paid to the Bishop, to whom as trustee for Sumner the receipts were made out.

Witness, to show there was an understanding all round that the money was Sumner's, quoted a jocular remark of his to the effect that when he got his money they would all have something to eat.

Argument of the case was set for 10 o'clock this morning as the court adjourned.

The Fourth was observed at Honolulu, Kau, with baseball and other sports.

## HOUSE WILL BE ARBITERS OF THE LOAN BILL FATE

### Reconsideration, But No Chance for Action Before Adjournment Is Had.

(From Thursday's Daily.)

When there promised a busy day in the House, the dissenters to the conference report upon the Loan Act, and the enemies of Marston Campbell, made it possible for the lower branch to consume the entire morning in the discussions and then retire for the day without substantial advance.

The contest over Campbell was most unwise for it should be realized by the law-makers that resolution never yet controlled the action of city or county authority. Still there was put in the bill a provision that Campbell should not be the official chosen for the place, with the idea that then he will not take charge of the completion of the public works.

That the loan bill was not taken up on reconsideration belongs to a realm of politics which is not understood generally, and the fact that it is the continuing order of the day makes it possible for the measure to be considered today.

The Senate at its afternoon session did nothing but advance small bills, as yet unpaid.

#### IN THE HOUSE

Before the journal had been read the House passed the Unpaid Bills measure on third reading so that it could go to the Senate early.

Harris secured the amending of the salary of the ranger third land district so that it provide \$380 for Kau and \$540 for Kona. Lewis suggested \$900 for the ranger 1st district, which was inserted and the word "ranges" was eliminated after the word "clerk" in that item.

Andrade called attention to the absence of clerk and bailiffs for the courts. He therefore moved to insert "salary of Supreme Court bailiff, \$1800" which carried. In the same line he suggested pay for interpreters for all courts not provided for, \$2455. Long said that the item was in the Senate bill but that body had decided it was a county matter. Andrade insisted that there should be no county control of the courts, further that he wanted to see the courts provided with officials. Vida said that if the absence would leave the courts up in the air, it would be a good thing to leave them there until the County Act went into effect so that County Government could be assured. The item failed.

Another item of \$2700 for the first deputy clerk was likewise refused. Andrade proposed also \$3600 for an assistant Attorney General. He said the result of the County Law's operation would result in more work, as various sections of that law certainly would be tested. Paele said the county attorneys would be deputies of the Attorney General and would assist him. The question was then put but the amendment was lost by a large majority.

Lewis presented an amendment to place the salary of the clerk and bookkeeper, land office at \$2700, it now being \$1800. The amendment carried.

#### CAMPBELL FIGHT AGAIN.

Fernandez moved to reconsider the vote by which the item of Supervising Engineer under the Public Works De-

partment was left in the bill. The point of order was made that he had not voted in the majority, which was sustained by the journal. He however suggested that he wanted to reconsider the vote on the Kumalae amendment, which contained the words: "provided it is not Marston Campbell". This was ruled out of order.

Speaker Beckley here appeared and took the chair from Knudsen. He closed up all the points of order with a rap, saying the session was closing, and he hoped all differences could be adjusted so that there would be time for the conference committee to work and thus have all bills passed. He then called Harris to the chair and proposed an amendment to the item as follows: "Salary Assistant Superintendent and Supervising Engineer, provided it is not Marston Campbell, \$4500." In support of his motion he said "mighty that the session was ending" and that there should be some quick work done to put all appropriation bills in the hands of the Governor by midnight of Saturday. He did not vote for the resolution of want of confidence in Campbell but he was willing to do anything to see the discussion ended. The amendment was then put and was carried by the following vote: Ayes—Chillingworth, Damiana, Fernandez, Kall, Kaniho, Kealawa, Kou, Kumalae, Kuphea, Lewis, Long, Nakaleka, Oili, Paele, Pali, Pula, Purdy, Vida—18.

Noes—Andrade, A'lett, Gandall, Greenwell, Hala, Harris, Kalama, Kellinot, Knudsen, Wright—10.

#### BACTERIOLOGIST UNDER FIRE.

Paele moved to strike out the position of Bacteriologist and Pathologist. He said there was no bill to provide his duties and the news from the settlement was that this official was now cutting up people at the Leper Settlement. He said these were facts that could be proved. The specialist (Dr. Alvarez) who had accompanied the committee to the Leper Settlement had said that there was no value in such operations, that simple inspection was sufficient.

Kuphea said that the operations upon the patients were inhuman and

should be stopped. The physicians, he declared, should not be permitted to operate upon living persons, yet they did so, took pieces of flesh to their homes and studied them, then went away and used the knowledge thus gained. The operations should be upon bodies of those who had died, he said, and not upon the living.

Aylett said that he did not approve of cruelty but he thought provision should be made for the proper officer to fill the place. Such an official he said was standing between the Board of Health and the people, telling them when there was danger. The amendment was lost on a tie vote.

Long moved to amend the salary of the Registrar of Public Accounts to \$4050 to conform with the six months bill which was adopted.

On motion of Chillingworth further consideration of the salary bill was deferred, he adding that the conference committee report on the Loan bill was then the order of the day.

Kumalae moved that the House adjourn so as to give time for the meeting of conference committee, and the House agreed to the move.

#### IN THE SENATE

There was considerable delay in getting to business in the Senate yesterday morning, from the lack of sufficient members to pass a bill on third reading.

The bill appropriating \$1000 for expenses of E. P. Dole in arguing the Mamaki case at Washington was finally passed.

The \$12,000 appropriation bill for Tantalus road damages was referred to the committee on public lands, internal improvements, etc.

The bill appropriating \$2000 for tours of the band to the other islands was taken from the table, to which it was summarily consigned the day before, and passed on first reading.

At 3 p. m. the Senate met again and passed House bill No. 10, unpaid bills of the Board of Health, on first reading after inserting some new items, which required a change of title, viz:

Expenses of Supreme and Circuit Courts.	\$ 375.00
Expenses of 2d Circuit Court trial jurors.	1,138.90
Expenses of same, grand jurors.	231.25
Expenses of same, Jas. A. Thompson.	21.50

The Senate then adjourned.

## CONFEREES WILL TALK OF DOYLE

That some members of the conference committee on Senate Bill No. 2 could not look upon the position rather than the man alone, prevented an agreement upon the measure at the meeting of the committee yesterday afternoon. All the other matters in dispute between the houses were considered as immaterial, according to the various opinions given, but Doyle stalked as ghost between the members of the two bodies, and when the conference adjourned it was with the idea that discussion of minor matters was without value, when that specter walked.

The conference first took up the other matters which had been in difference between the bodies, and made good progress. There were few points upon which there was discussion, and it was either side at will. Whenever, however, the Japanese interpreter matter came up, it was a fight for the whole bill, little progress was made as a result of the two or more hours of working time. As the bill now stands there is not a question which means long delay, but that of the Japanese interpreter, and this matter may cause the fight which will detain the bill until the very end of the session.

There was a fairly full gathering of the conferees, all House members present, with the Senate six out of seven. Among the several things settled upon were the pay of messengers in the Judiciary Department at \$300 each; Chinese interpreter \$900; salary of Land Registration court was placed at \$1200 as was that of ranger; Commissioner of Immigration \$900, first assistant Clerk of the Public Works, \$1050 as the Senate passed it, reductions by the striking out of the Assistant Superintendent of Public Works all went as the House wished, as did the sewer pump and garbage payrolls and bookkeeper in the Road Supervisor's office.

The House won its contention on the electric light salaries and the reservoir keepers, the tappers in the water works and the Pahoa water works, the four men for public squares, the boards for public buildings the keeper for the mausoleum and the firemen.

The Senate secured the higher rate for pilots both here and at Hilo and at Kahului, while the House got the Mahukona pilot and the increase as to pilot boys. The school agents were deferred except that the school agents got \$1500 as the Senate wishes and guards at the reform school. For the new bureau of agriculture and for-

(Continued on page 6.)

## WILL KILL BAD COWS

### Board of Health Starts New Crusade.

(From Thursday's Daily.)

The Board of Health is to begin immediately a crusade against tubercular cows, any number of which are said to be used in the dairies on Oahu. The Honolulu dairy cows have already undergone the tuberculin test, and yesterday the Board extended the authority of Dr. Monsarrat, the government veterinarian, to cover the whole island.

At the opening of the meeting yesterday Dr. Monsarrat reported that at the request of C. Boite he had visited the latter's ranch to examine fourteen cattle purchased by him from the Ahumahu ranch. Of these seven were found to be infected with tuberculosis, and Dr. Monsarrat saying that he had no authority outside the district of Kona, simply caused the animals to be segregated.

The doctor continued that Henry Macfarlane had frequently asked him to examine the cattle on his ranch, but whenever he attempted to do it he met with trouble. On his last visit Monsarrat said, he had sent a letter to Henry Macfarlane by a messenger, saying that he was ready to examine the cattle. The reply was brought back by the messenger from the manager of the ranch and not from Macfarlane and was, "Tell Mr. Boite and Dr. Monsarrat to go to h—."

"When a man talks that way," said Monsarrat, "the proper way to go is to take six shooters."

He said also that all the dairy cows in Honolulu had been examined, but that outside he had no authority. "Many of these dairies ship milk to Honolulu and the cows should be inspected also," said Monsarrat.

Dr. Cooper then suggested that Monsarrat be given authority to examine all dairy cows on the island of Oahu and to condemn and kill all which had tuberculosis. "They furnish milk to the plantations if not to the city," he said. He suggested also that the district of authority be extended to cover the entire island of Oahu. This was put in the form of motion and formally adopted.

Monsarrat said that the dairymen did not believe tuberculosis hurt the cows any, and to one of them he had offered to bring the carcass to Honolulu and display the affected organs in a down town window.

"That would ruin the beef business here," the cattle-owner is reported to have replied. Dr. Cooper said that experiments had demonstrated to a certainty that tuberculosis could be communicated from an animal to a human being, and recited the case of a physician who had taken the disease while experimenting.

#### WANTS HER HUSBAND.

Mrs. Jessie Keana petitioned to have her "loving husband" sent to her at the settlement as kokua. The petition was referred to Supt. McVeigh.

Supt. McVeigh reported favorably on the petition of Mrs. Kaumuali to have her husband come as kokua and the request was granted.

#### TRACY'S REPORT.

City Sanitary Officer Tracy reported in part as follows:

Ten restaurants, one hotel and ten lodging house keepers applied for certificates of sanitary condition to procure licenses and all premises were inspected and passed and the certificates were issued. One lodging house permit held over from last month was issued as the premises were fixed up. Five certificates are held until work of a sanitary nature is completed. One thousand six hundred and eleven adults can by law be lodged in these buildings licensed.

Five forty-eight-hour notices were served and four of the recipients immediately abated the nuisances. One has been given more time to do the work.

Three formal complaints were filed and the nuisance has been investigated and in two cases is already abated. In the third case the nuisance will be abated shortly, the delay is owing to the difficulty of getting hold of the responsible parties.

Two arrears have been made for minor offenses. One was fined \$3.00 and costs and the other \$5.00 and costs.

The abating of the South King street nuisance by the sewer department erecting vent pipes from the sewer manholes has done away with the source of numerous complaints filed at this office and made King street a place no longer to be avoided in the evening.

Inspector Keen reports 185 plumbing inspections made during the month, with fourteen sewer connections. He says also

The Department of Public Works having placed ventilating shaft on the line of the sewer on King street from Alapai to Thomas Square, the nuisance complained of along this line of sewer has been abated.

## MAUI WILL HAVE RACES AT KAHULUI IN AUGUST

Maui has taken a new life in connection with sports. With horses in condition, sympathies at high tension and money for speculative purposes, the Fourth of July events have simply whetted the appetite of the Valley Isle folk. In consequence arrangements are being made for a race meeting on the Maui holiday, August 12, at the Kahului track.

President George B. Robertson, of Waikuku, as representing the Maui Racing Association, spent Monday and yesterday in the city and gave a deal of attention to what support a race meeting would have from here. He has received assurance that many of the best horses will be kept in training so that there may be better going than marked last week's events.

There promises to be some rare sport, for Honolulu horsemen have agreed to take down their racers and as well to add their influence to that of Maui, to secure the best goes from Hilo. This should mean some fine racing, for both harness events, dashes and distance running races would be filled with the very best animals which have been trained during the year.

One good thing now being talked of is a sweepstakes with Sambo, Lemp and Denny Healy in it, with a chance that Holminger's Waldo J. might be trained for the going. It is being urged that Carter Harrison be secured, as Lucas has promised Racine Murphy. Ballentine is expected to take over Connors and Bruner, which would insure dashes, and Hilo folk will be asked to send Dixie Land, Defender, Rejected, Frank S. and others.

Governor Dole is interested in the Maui holiday and the band has been promised for the event, so if there is nothing of greater importance comes up unexpectedly, it surely will be there. The Ellis baseball club will not play here on the Saturday of the week in which falls the holiday, and there may be an effort made to have a baseball game as well.

One result of the plan of the Maui people to take up the matter of a racing revival, may be the organization of a racing circuit. The Maui Association will be of the first to take up this thought and it is the opinion that if the three cities will agree upon dates, so that it will pay to train and secure good stock, there will be better racing than has been seen here in many years.







## INVECTIVE WAS BITTER

### Humphreys Winds Up Prolonged Philippic.

Most of the more than four and a half hours the Supreme Court sat yesterday, in the further hearing of the disbarment case, was occupied by A. S. Humphreys in concluding his closing address on his own behalf. The remainder of the time was taken by J. W. Cathcart in arguing the defense of Frank E. Thompson.

#### DIGNIFIED ADVOCACY.

Mr. Cathcart's address was a calm and dispassionate presentation of authorities that he maintained bore favorably upon the cause of his client in the position shown by the evidence. He quoted a number of cases from the mainland courts where it was held proper that an attorney might accept a retainer against a former client under certain circumstances. This was the declared law where the attorney did not use secrets gained in representing a client to his prejudice in a subsequent case. One example cited was where parties joined in a friendly suit for the determination of their respective rights and afterward quarreled among themselves and entered into hostile litigation with each other. Mr. Cathcart's effort was able without the slightest attempt to be oratorical. It went far to restore the judicial atmosphere to its normal condition after it had been made feebly by a protracted outpouring of licentious vituperation.

#### SYMPATHY REJECTED.

In closing Mr. Cathcart made a few remarks by way of personal pleading for his client. He spoke of him as being a young man of rising promise ever since he had joined the Hawaiian bar a few years ago, and who had cast his lot in the community by marrying into a local family.

This brought Mr. Thompson to his feet for just a word as the court made signs of rising. He wished distinctly to disclaim any plea on behalf of his youth or any other personal consideration. All he wanted was a fair trial and justice.

#### OFFENSIVE DEFENSE.

Mr. Humphreys, on resuming his defensive address at the opening of court in the forenoon, early struck a lead of invective which he scarcely ever lost sight of again until the conclusion of his argument about 3:30 p. m. With regard to the Attorney General's observation that nobody took him for a fool, Humphreys quoted the proverb that it was well even to have the good opinion of a dog. He did not endorse the saying and had "never wanted the good opinion of a dog."

Referring to the contradiction between the Attorney General and Mr. Watson about the interview they had in the former's office he said:

"If Watson and Lorin Andrews were put in the scales Watson would so far outweigh Lorin Andrews that Andrews would be tossed to the skies; or, if the scales happened to go the other way, he would be hurled to the uttermost depths of hell."

#### LETS HIMSELF LOOSE.

"If ever a man perjured himself on the witness stand, Lorin Andrews perjured himself when he testified to his conversation with E. M. Watson in relation to this case."

"Lorin Andrews uttered a lie when he said that I had attempted to abandon the sinking ship, referring to my admission."

"Why sir! I have entered the valley of the shadow of death. I can almost see the gates ajar. My partner has his life before him. I would rather drop dead in my tracks, as I have said before, than attempt to shift the responsibility on the shoulders of one in whose honor I have an abiding faith."

"And now I am accused of attempting to jettison the cargo, when I intimated that our firm had been guilty of negligence."

#### AMERICANISM RUNG IN.

Mr. Humphreys took up the evidence that he threatened to appeal to the United States Court if the Sumner guardianship suit failed here. He asked when it had been a threat to desire to appeal to the highest tribunal in the land and then declaimed:

"I am an American—not by Act of Congress, but by birth, by impulse, by instinct, and by desire! And it is but natural that I should prefer the opinion of the United States Supreme Court to that of any other court."

"Let me be treated as the principal in this case, let me not shift or shirk one single responsibility."

## NEW DEAL IN KAMALO

### Plan to Reduce Stock and Reorganize Estate.

There is to be a complete reorganization of the affairs of the Kamalo plantation at a meeting to be held next Wednesday if the plans of some of the stockholders can be carried out. The plan is to reduce the capital stock from \$1,000,000 to \$500,000 and to cut the shares of paid-up stock from twenty to ten dollars each. Then with the plantation upon a sound business basis it is expected to be got into operation and be made to pay. One stockholder said yesterday that much of the paid-up stock was given practically without consideration for land which was paid for its full value in cash.

If this scheme is not followed out an effort will be made to have the concern placed in the hands of a receiver to sell the property for what can be gotten out of it. There is over \$120,000 worth of machinery on the plantation. Besides some of the land is planted in cane which is kept in seed. The meeting to be held next Wednesday evening promises to be interesting.

#### SOME PERSONAL COMMENTS.

Mr. Humphreys commented on the Attorney General's alleged statements that when Watson called on him he did not know what was in Magoon's charges, also that he had never discussed the matter with Deputy Attorney General Peters, who had been Magoon's partner. "Yet," the speaker said, "this whole case is as much a defense of the conduct of J. Alfred Magoon and his partner who is now in the office of the Attorney General as it is a prosecution of F. E. Thompson and A. S. Humphreys."

Reference was made to Magoon's statement that he did not know what case was on trial when he assisted George M. Davis, with the jibe that Davis was in his "normal condition of not knowing what he was doing."

John K. Sumner was attacked on the strength of the evidence of Wylie Davis that he was "tickled to death" to see Humphreys and Watson in trouble, also that Sumner was going to court in this trial to forget things for spite of the respondents. This he maintained had shown "mental disintegration gone beyond the point of moral responsibility, or utter disregard of the solemnity of an oath, and that candor and frankness due the court in a proceeding of this sort."

#### THAT MIDNIGHT RIDE.

Mr. Humphreys claimed to find inconsistent statements in J. A. Magoon's evidence of the midnight ride to a fire, and left it to the Justices to corroborate his own version of the conversation en route with special reference to the "skinning" of B. F. Dillingham by W. A. Kinney. In this connection he spoke of the unfair lease M. F. Crandall, as guardian of Sumner and receiving a full third of his income by way of commission, obtained from Sumner for Dillingham.

After pitting the evidence of the Ellises, R. W. Cathcart and Captain James against his admission of carelessness on the part of his firm, to show that he had not harassed Sumner nor done anything to his injury, and citing Sumner's "cutting" him in the street for opposing an improvident trust Sumner was bent upon placing himself under, Humphreys paid further attention to his brother-in-law Magoon.

He contrasted the hospitable habits of the Arabs of the desert with Magoon's divulgence of confidential utterances under his own roof at Kaalawala.

"If I had offered J. Alfred Magoon a bribe as he would have it believed, it is a moral certainty that he would have taken it as he takes everything he can lay his hands on," the speaker declared. "Yes, he would take the noonday sun if he thought he could hold it."

Further discussing Magoon he said he was "not broad enough to carry filth to the devil."

At the afternoon session Mr. Humphreys used his time mostly in reviewing the evidence. Near the conclusion he contended that Mr. Highton's evidence was effectually contradicted by that of Judge Stanley and the other lawyer called on Wednesday afternoon.

#### NEAR THE END

Deputy Attorney General Weaver watched the case for the prosecution during the afternoon, Attorney General Andrews being absent. The prosecution will probably make its closing reply, when the case will be taken under advisement, at this morning's session.

A SCAR from a burn or scald is often dreaded more than the pain that is inflicted. Chamberlain's Pain Balm heals the injured part in less time than any other treatment and unless the injury is a severe one, no scar will be left. One application gives relief. Try it. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

## HOW KALAUPAPA LEPERS CELEBRATED THE FOURTH

### Plans Being Made For a New Half Mile Race Track At the Settlement—Money Raised By the Lepers For the Purpose.

The biggest Fourth of July celebration of any in the islands this year was that of the lepers at Kalaupapa. The whole day was given over to athletic sports and races, and so enthusiastic have the lepers become on the racing question that they intend to build a half mile running track and a grand stand for future use.

All the lepers have the racing fever and a subscription paper circulated at the settlement has reached the amount of \$160, with a few of the lepers still to be heard from. Everyone at the settlement contributed, some of them only a dime, while others put in as much as ten dollars. If the entire amount needed cannot be raised at the settlement it is the intention of Supt. McVeigh to circulate a subscription paper in Honolulu.

The present race track at Kalaupapa is a half mile straightaway but this is unsatisfactory because only a comparatively small percentage of the lepers can see the finish of the races. Now it is the intention to put in a mile circular track, graded and rolled and with all the modern accessories. A band stand and amphitheatre and racing quarters are also to be erected if sufficient money is raised. The work will be done by the lepers.

#### THE CELEBRATION.

Supt. McVeigh reports that the Fourth of July celebration held at Kalaupapa last Saturday was one of the biggest affairs for years. The morning was given over to swimming races—a quarter mile and one for two hundred yards. There were four swimming races altogether, and a half dozen participants in each. As soon as these races had been concluded the crowd went to the race track, and the remainder of the forenoon was spent in watching the races. In the afternoon there were more races and athletic sports of various kinds.

The most interest was taken in the horse races. The judges for these were Nathaniel, Kanekau, J. K. Waiamau, James Harvest and Ah Chong. The fastest time made was in the half mile running when the winner crossed the tape in fifty-two seconds.

There were women riders as well as men, and the ladies often were victorious over their male competitors. The funniest races were those in which ladies alone participated with mules for mounts. The prizes were in cash, ranging from one to fifteen dollars.

In the evening there were further festivities in Beretania Hall. There was a fine display of fire works, said to be the most elaborate of any given this year at either Wailuku, Hilo, Lahaina or Kahului. There was also a concert by local talent which was much appreciated. Refreshments of cake and sandwiches were also served during the evening celebration.

"If those who assisted in the raising of the fund for the Fourth of July celebration, at Kalaupapa, could have seen the pleasure with which the residents there took part in the features of the day they would have been more than pleased with their efforts to give the patients pleasure."

Dr. J. T. McDonald, the bacteriologist of the Board of Health, returned yesterday after a stay of some two weeks there. Dr. McDonald said that his visit was due to the fact that there was desired an examination of several patients, who since their confinement had not shown any progress of the disease, and in whose cases there was to be a microscopical diagnosis. In addition he made a careful survey of affairs, as was incident to his examination of the patients. He continued:

"When the object of my visit was made known, I found that scores of patients in addition to those who were listed came up for examination, and as a result I will have nearly sixty cases to pursue to the ultimate. The patients were all anxious that they be given the tests, and in every case they looked upon it as a pleasure. The examination of the lesions was a very slight thing and everyone expressed themselves as satisfied with the work."

"The greatest improvement in conditions there is noticed. Superintendent McVeigh has the respect and confidence of the people and everything goes on nicely. Dr. Goodale is making a fine record for himself, and is ameliorating the condition of the lepers very much. I shall complete the examinations as soon as possible, and will then report upon the work I have done to the Board of Health."

## HOUSE DECIDES TO WAIT WITH THE LOAN BILL

(Continued from page 1)

ing and assisting the production of coffee, a bounty of four cents a pound for all coffee produced in the Territory of Hawaii, for the ensuing ten years, be authorized to be paid to the producers thereof.

Resolved, that Congress appropriate sufficient money for the purposes hereinafter stated, and that the Secretary of the Territory be instructed to send copies of this resolution, properly certified, to the President of the United States, the President of the Senate and the Speaker of the House of Representatives, and that a suitable number of copies be given to the Hon. Jonah K. Kalanians'ole, the Delegate-elect, for his use.

Paele fought the resolution saying that it was out of order, but it was sustained and the resolution passed by ayes twenty-three, nays four.

#### SALARY BILL GOES THROUGH

The salary bill was then passed, although Lewis wanted to make further amendments being shut out by the previous question. The vote was twenty-two to five (three voting in the negative being Home Rulers).

There was an attempt to bring up the loan bill conference but Long said that there was a feeling that this

should be delayed until the regular appropriations had been passed. The Senate might adjourn, he said, or the Governor might fail to sign the bill.

Speaker Beckley said there were only two days left, but Kumale said the Governor could extend the session and make it thirty-two days. Beckley announced that he would refuse to preside longer than Saturday, if the work was not done at that time he would not continue as Speaker. From all over the House came declarations that members were going home.

The House adjourned for the day at 11:45 o'clock.

## CANNOT AGREE ON SALARY BILL

After struggling for three days with the differences between the two houses on the Six Months' Salary Bill, the committee having in charge the settlement of the matter, adjourned yesterday afternoon, confessing that it would be impossible to agree.

The committee did this only after every possible resource at the command

## THE COURTS ARE BLAMED TRANSPORTS THE TOPIC

### Mr. Cathcart Says At the Chamber They Created Troubles.

(From Thursday's Daily.)

Judge De Bolt dismissed the petition of William S. Ellis to put John K. Sumner under guardianship for insanity, without taking any evidence, on the motion of J. A. Magoon for respondent.

J. W. Cathcart, opposing the motion on behalf of the petitioner, respectfully informed Judge De Bolt that he regarded his decree on the former petition—that of Maria S. Davis—as an "improvident" one. Counsel also said he believed the courts were responsible for the troubles of John K. Sumner since 1897, in allowing agreements and settlements out of court. Mr. Cathcart said he never heard of an insanity case elsewhere as being discontinued by stipulation of the parties.

The Judge in granting the motion said it would be impossible to convince him that John K. Sumner was insane.

#### DIVORCE MATTERS.

Judge De Bolt granted a divorce to Rosa Machado Keola against James Keola, with the custody of the children including a missing child if it can be found. The libelee, who made no appearance, is ordered to pay the libellant \$15 a week every Saturday, also costs of the proceedings and an attorney's fee of \$25.

Judge Gear has made an order to W. E. Fisher, receiver of the estate of M. G. Silva, to pay \$104.85 in his hands to Carolina Silva on account of alimony in divorce.

No notice of motion for execution for \$1000 according to decree against the libelee in the divorce suit of L'bano de Nobrega, a Sylvano de Nobrega has been given.

#### GENERAL.

The Dowsett Co., Ltd., has executed a release to David Kahoana and the estate of David Kahana, deceased, for any claims on account of two leases executed to certain Japanese by David Kahana in his lifetime.

A discontinuance has been filed in W. M. Campbell's suit against John K. Sumner.

W. E. Rowell, administrator of the estate of Malvina J. Rowell, is granted his discharge on filing of final receipts by order of Judge Gear.

..... of the members had been exhausted, and two items especially, the Japanese interpreter and the Assistant Superintendent of Public Works, seemed to be impossible of reconciliation. What will be the result it is not possible to forecast. If a new committee is appointed this morning there will be hard work to get through all the bill, which is such that the work of typewriting it for submission to the Governor will occupy at least twenty-four hours, making it necessary that there be early agreement if it is to be expected that the bill will be sent to the Governor in time for his signature.

The Japanese interpreter item was the first thing brought up at the afternoon session, McCandless proposing that the House take its advance on the Mokoihi Judge, giving the Senate the \$900 salary for the interpreter. Baldwin called attention to the necessity for a good man in the position, reciting the facts in connection with the recent Japanese case on Maui when Doyle had to be sent for to handle the evidence.

There was a discussion over the present rate of pay of the interpreter, Kumale insisting that he now gets only \$125 a month from the courts, others taking the position that the interpreter has been getting \$25 from the police funds as well. Greenwell insisted that the man should not be regarded but the position.

Vida moved that the salary be cut to \$94. This was to cut down the price below \$100, so that Doyle could draw two salaries. Kumale denied that Doyle was getting two salaries, saying that Brown had denied this, he likewise said that there could be no cutting below the two figures fixed by the two houses. The chair ruled the Vida motion out of order.

McCandless moved his compromise but he could not secure more than three House votes. Baldwin moved a compromise. After some argument Kalaupapa moved to strike out the item entirely, saying too much time was being wasted over this item. Kapiha said the House had no feeling against Doyle, but simply voted to cut him down because he could only interpret and could not translate.

#### COMPROMISES ARE REJECTED.

Woods proposed that the Senate would recede from its position on the Japanese interpreter if the House would recede on the striking out of the Assistant Superintendent of Public Works. Kumale said he would put in the item if the words "provided it is not Morrison Campbell" Senator Baldwin said he had never heard of such legislation. The necessity for assistance to the superintendent was absolute and he continued, that it would not be wise to pass a loan bill without providing such competent assistance. He said that the legislative branch should not intrude upon the Executive.

In all his years he had never heard of such a rider being put into a bill and he did not think there should be dictation as to under officials.

Senator Paris said he thought the Senate felt it was going too far in an attempt to dictate as to the employment of subordinates. He suggested that there be a compromise at \$80 on the Japanese interpreter. The vote

Continued on page 2.)

(From Thursday's Daily.)

At the monthly meeting of the Chamber of Commerce yesterday morning, the committee on the matter of agitating to have the Army transports call at Honolulu, on their voyages between the Pacific Coast and the Philippines, made its report. It submitted a series of resolutions addressed to Mr. Root, Secretary of War, which the Chamber adopted.

The resolutions set forth that this is an American port, that it has all the facilities of wharf, harbor, machine shops, water, and coal of any foreign port, and that to route the transports this way will tend to build up an American port, will benefit American workmen and American business men, instead of building up a foreign port, as at present. It is shown that our harbor facilities are sufficient by the fact that the battleship Wisconsin was brought into this harbor. Stress is laid on the fact that this is an orderly and peaceable port, this feature being suggested by the experience at Bremerton.

Further, it is pointed out that the Occidental and Oriental and the Toyo Kisen Kaisha steamers call here though they can carry neither passengers nor freight between this port and the coast, because of the facilities here and the pleasanter and safer route this way as compared with the northern route.

E. D. Tenney for the committee to prepare statistics and information for the Department of Commerce and Industry, reported progress and asked for further time. Mr. Tenney also made the same report and request for the committee on revision of the by-laws.

W. H. Hoogs for the committee on the Encouragement of Coffee reported that the committee was at work on the matter, but was not ready to report yet as certain data desired had only been secured the previous day.

The following cable messages were received in reply to those sent by the Chamber on the completion of the trans-Pacific cable.

From the Governor of Guam: Thanking the Chamber of Commerce and the Merchants' Association for greetings which are reciprocated, Guam builds hopes on being connected with Hawaii.

SEWALL, Governor.

From Clarence H. Mackay: I have greatly appreciated your kind message of the Fourth and I sincerely wish the presidents and members of the Chamber of Commerce and Merchants' Association of Honolulu all prosperity now, and in the future.

C. H. MACKAY.

From the San Francisco Chamber of Commerce: Thank you for kindly greetings. May last link Commercial Pacific Cable strengthen all others binding us together.

#### CHAMBER OF COMMERCE,

R. Dimond, Vice-President.

The following were elected to membership: C. Hedemann, of the Honolulu Iron Works; E. D. Tenney, of Castle & Cooke; J. R. Galt, of the Hawaiian Trust Company, and E. A. Berndt, of W. W. Dimond & Company.

Those present at the meeting were: C. M. Cooke, vice-president, in the chair; J. G. Spencer, secretary; H. A. Isenberg, F. J. Lowrey, A. J. Campbell, W. L. Hopper, E. R. Stackable, F. J. Waldron, W. H. Hoogs, F. M. Swann, E. A. Berndt, E. D. Tenney and J. R. Galt.

## WORK PROGRESSING ON CABLE SHIP

The Anglia began to discharge the remainder of the cable which she had in her hold on Monday morning. The remainder consists of one hundred and eighty-five miles of cable, all but one and a quarter miles being the deep sea section. The short section is the shore end.

The cable is run from the hold of the Anglia to the bow of the ship, thence through blocks hung from the tops of telephone poles to the tanks which are a few hundred yards off. The cable is run out at the rate of three miles an hour, and it is expected that it will be all out on Saturday. This is not very fast work, but it is impossible to get any greater speed from the engine which pulls the cable. At Greenwich where the cable is made thirty miles a day is considered good work in loading the cable, and the record is seventy-two miles in twenty-two hours. The cable being unloaded at present is run over to the tanks near the cable ship, and down into the tanks where a force of eight or nine men are busy coiling it around a drum, perhaps a hundred and fifty miles are coiled the tank is filled with water, and the cable is left, ready for use at a moment's notice.

#### ADVISES SOUGHT.

Governor Dole has written to the Secretary of the Interior, Washington, for advice regarding the reported trespassing of Japanese upon the little islands in the west of this group, in connection with the offer mentioned in this paper some days ago which Captain Rodman of the U. S. B. Itroquois made to the Governor. This was to protect the islands with their feathered inhabitants against the vandals as opportunity offered in cruises of the station ship.



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THERAPION.** This successful  
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of joints, gout, rheumatism, and all diseases for which  
it has been too much a fashion to employ mercury.  
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## HOUSE WILL BE ARBITERS

(Continued from page 3.)

estry the payroll of employees and laborers passed at \$8000 as the House wished, but the stenographer was cut out.

Under the Survey Department the Chief Assistant got \$1250, and the House amendment to give the first assistant \$1200, was compelled to be deferred. The changes in regard to Board of Health officials were few, the House being permitted to add fish inspectors at Walluku and Lahaina, but the Senate insisting upon, and securing its provision for fish inspector and bacteriologist. The House was 'vex larger items for segregation of lepers and special officials there at the settlement, but heads of departments were deferred although the Auditor's assistance was provided as the House wished.

Twice the discussion came back to the Doyle matter, there being on the part of the Senate a disposition to give in to the House, on all matters except this one, and finally after a vain effort to secure an agreement it was voted to adjourn, as the evident intention of the House was to give way to the Senate in so many little things that it would have to concede the interpreter clause.

After a long discussion over several matters, such as individual play of physicians, the bill was laid over until this morning. The talk developed that there were several members anxious to get through, but the presence of the various provisions, upon which there is a unanimous Senate and divided House, promises to delay matters.

The conference upon Senate bill No. 9, the Eighteen Months Expense bill, was not strenuous. The members agreed to the House amendment except that cutting down the parks appropriation which was made \$18,000; the advertising item, which was made to read, "in furtherance of immigration", and making district magistrates those of jurisdiction in the case of misfeasance in office. The report will be submitted to the Senate and House this morning.

## TANBARA KEPT IN IGNORANCE

Tanbara Gisaburo, the murderer of Capt. Anderson, has not been informed of President Roosevelt's refusal to interfere with the sentence of death pronounced upon him by the local courts, the statements to the contrary notwithstanding.

Warden Henry has given strict orders that the information be kept from the Japanese until fuller advice is received by mail, as no other word has come yet than the mere announcement by a cable of the President's refusal of clemency.

The death watch is being kept in the meantime as it has been ever since the death sentence was passed.

Judge Estee and District Attorney Breckons were both seen about the cablegram from Washington. Both officials stated that further proceedings in the condemned man's case could not be determined until the official report of the President's action was received. Judge Estee, in answer to the question if Tanbara would have to be resentenced, said he certainly would have to be brought into court for such further proceedings as the report from the Federal Executive should dictate. He had not yet appointed a date for the execution of the death penalty.

### A Travelled Native.

Sam Davis, a well known native of Kau, died of heart failure on the morning of July 4 at Naalehu. He was known far and wide among the natives as a traveller, having visited, as a sailor, nearly all the great ports of the world. He took his last name from old Captain Davis, a sea captain well known to kamaalana.

### Kailua's Wharf Repaired.

The wharf at Kailua, which was reported last week to be in a state of disrepair, is now being fixed. James Morse with a force of workmen is at work putting the wharf in first class shape, and the residents of Kailua are much elated over the improvement.

Wm. R. Riley, painter, has brought a suit for \$15,000 damages against the Metropolitan Meat Co., on account of having been lamed in the knee by a runaway horse from defendant's stables. He alleges that the injury has prevented him from working at his trade.

DYSENTERY causes the death of more people than small pox and yellow fever combined. In an army it is dreaded more than a battle. It requires prompt and effective treatment. Chamberlain's Colic, Cholera, and Diarrhoea Remedy has been used in nine epidemics of dysentery in the United States with perfect success, and has cured the most malignant cases both of children and adults, and under the most trying conditions. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

## CLOSING SPEECHES IN THE DISBARMENT CASE

**Attorney-General Andrews Unsparingly Analyzes the Conduct of Humphreys and Thompson—Address of Humphreys Interrupted by Illness.**

(From Thursday's Daily.)

Closing arguments in the disbarment case occupied most of the day before the Supreme Court yesterday. There was an interruption of argument immediately after the noon recess, to allow Mr. Humphreys to introduce rebuttal evidence. The Attorney-General then had to put on rebuttal of the surrebuttal. Much of the new evidence offered by both sides was disallowed by the court. Afterward the Attorney-General concluded the argument for the prosecution, excepting what may be necessary in reply to that for the defense, and A. S. Humphreys got well under way with his closing address, he having changed his mind about waiving argument in his own behalf.

### INTERLUDE OF TESTIMONY.

W. L. Stanley and another attorney were called by Humphreys. Mr. Stanley testified that in the railway suit, while Sumner was absent in Tahiti, Holmes & Stanley were attorneys for Bishop Report, and Mr. Highton asked to be entered with them; that they accepted his representations as those of a reputable attorney, but were told by the Bishop later that Highton was not employed by him. While an objection of the Attorney-General was in dispute, a remark by Justice Perry caused Humphreys to withdraw the question. Justice Galbraith, however, thought the evidence material as being to contradict "the star witness" for the prosecution.

### HUMPHREYS SCURRILOUS.

Chief Justice Frear could not see the materiality of the evidence and Humphreys undertook to show it to him, winding up with the recapitulation: "In short, that we want to show that Highton is an unmitigated liar."

The second witness told how he had been called against his will, owing to having answered a question asked him by Judge Stanley that forenoon. His evidence was all about a conversation in Holmes & Stanley's office, in which Mr. Highton expressed the opinion that the railway's purchase option in the Sumner Island lease was not worth anything because there was no consideration. Sumner was absent from the Territory at the time.

### HIGHTON CALLED.

Mr. Highton was called and explained how he came to have his name entered as an attorney of record for the Bishop. Sumner was absent and he regarded Sumner as a necessary party with his trustee and he desired to represent Sumner without entering his direct appearance pending his return.

Amidst a wrangle arising from Thompson's objections, Mr. Highton warmly exclaimed:

"I am here as a witness and I shall address the court if I choose."

### ASKS PROTECTION.

Later, when Chief Justice Frear had given the ruling that a question was not material, Mr. Highton asked protection of the court from continuous insults by the respondents, as a practitioner in the courts for forty-four years. Then, in evidence he was permitted to give, he told of Humphreys having stated to him on one occasion that witness had earned his (Humphreys's) fee in the case as well as his own.

The Attorney-General then resumed his address where he had broken off before recess.

### THE LAW PRESENTED.

Philip L. Weaver, Assistant Attorney-General, on the opening of court in the morning made the closing argument for the prosecution from the legal view point. He began by representing "old man Sumner and the pot of gold" as having occupied the center of the stage all the time in the long-drawn-out drama of the Sumner case. They had come to the act in which the respondents assume a new role. They represented the pot of gold and not the relative. Mr. Weaver produced a number of authorities to fasten upon Humphreys and Thompson the liability for any prejudicial action or inaction affecting Sumner, either during or after the fact of themselves or their firm having been his attorneys of record. One case showed where an attorney was punished for appearing against a former client in a different State from that in which he had represented him at first.

### REVIEWING THE FACTS.

Lorrin Andrews, Attorney General, in beginning the closing review of the facts for the prosecution, said it was not a case where the prosecution was required to prove the guilt of the accused beyond reasonable shadow of doubt. It was a case where the public and the bar must be protected from tricky and unscrupulous conduct of attorneys. These respondents had been shown guilty of tricky and unscrupulousness. The case was a clear one and they should be punished.

### NO SPRING CHICKENS.

Humphreys and Thompson were not new or unscrupulous practitioners. They were not liable to make mistakes of ignorance or even inadvertence. Humphreys had testified he was assistant attorney general in Arizona at an early part of his career. He had also sworn to his firm's having a practice of \$45,000 a year, which would be about three-fourths of the entire law practice of Honolulu. Thompson was also recognized as a lawyer of ability.

The Attorney General then took up the leading points of the testimony, using that of the respondents themselves to fix their accountability for protecting the interests of Sumner. He also brought in documentary evidence to contradict their testimony in different particulars.

### TELL-TALE DOCUMENTS.

The settlement receipts prepared by Thompson were in this category, showing that he recognized Sumner as the owner of the money that was divided amongst clients and lawyers in the "partition" effected without the intermediary of a court of partition.

It was also shown that the affidavit in the original railway suit which Humphreys swore Magoon acquainted him about in the midnight ride, was a matter of fact prepared by the firm of Humphreys & Gear and perhaps written by Humphreys himself.

### NO QUESTION LEFT.

The records left no question, Mr. Andrews said, that these attorneys acted as they had no right to act. If a man was allowed to come into court and dispute the record, what confidence would remain in courts of record? Suppose Sumner had refused to pay Humphreys, Thompson & Watson, what evidence would there be but the record and the testimony of the attorneys for the various parties upon which they could recover?

If a man went on the record at attorney for a certain party and then came into court and said he had a prior engagement with parties outside the record, what confidence could there be in the relations between attorney and client?

### THOMPSON'S MEMORY.

Thompson testified that his connection with Sumner was adverse in its inception and adverse throughout. Within three days afterward he denied that he gave that testimony. What reliance was there to be placed on his testimony of what happened nine months ago, if he could make what he called a lapsus lingue about such a serious matter?

Respondents were disingenuous when they said in their answer that they were opposed to the settlement. They proposed they did not know what was in a pleading by which they were bound, and that if they did know it was absolutely wrong.

### HIGHTON'S OPINION.

It was comparatively immaterial whether Highton believed that deed of trust revocable or otherwise. On the 12th of October, when his relations with Humphreys and Thompson were friendly, he wrote a letter in which he said that it was understood that when Humphreys retired from the bench he should come into the case as representative for Sumner and that his fee was to be \$2500.

### JETTISONS CARGO.

Mr. Andrews called attention to the testimony of Humphreys that he did not countenance certain doings of Thompson. He didn't know of certain things done by Thompson in his business, though head of the firm and talking, in his evidence, of sending and ordering Thompson to do this and that. The rapidity with which Humphreys jettisoned cargo was remarkable. First he throws Thompson overboard. Then he jettisons his fee, says he never earned it. Then throws the Ellises will become of the innocent?"

overboard with the declaration, "My God, if I had known you signed such a paper!"

Of all the things that anybody had ever said about Judge Humphreys, possibly some by the speaker, that he was a fool was not one of them. Having had time to examine the record, though absent from Oahu during the settlement, nine months afterward he threw the blame on his junior partner.

### THE SICK DEVIL.

As to the return of the money to the Ellises, it was too absurd. Return Sumner's money to the Ellises? I am afraid, the Attorney General said, that Mr. Humphreys is a sick man in this case. You remember the old rhyme:

When the devil was sick the devil a monk would be;  
When the devil got well the devil a monk was he.

### THE FEE'S CONSIDERATION.

Mr. Thompson said he got his fee for protecting the Ellises in a trust and yet he signed a receipt showing that he represented Sumner. He wanted it understood that this was a trust fund which could not be disturbed and yet he signed receipts that showed this understanding was a lie. His statement that he never saw that letter of the Bishop's directing the payments before he wrote those receipts showed him to be the most remarkable attorney that ever practiced at the Hawaiian bar.

### WORTHLESS EVIDENCE.

The evidence of the Ellises was worthless. All of them remembered every word of a conversation that took place nine months ago, even to the beautiful alliteration of darkening Davis's door.

The defense was notable in the denials of their own signatures by the respondents. The most remarkable denial was that of the Ellises. There was nothing in that letter which any person of ordinary intelligence could not understand. It was read and translated by one of them—there were but four or five words in it—but all of them testified that they did not understand it.

One fact stood out clear. This was that the respondents worked hard for the Ellises—to get every cent they could of Sumner's money.

### CUTTLEFISH TACTICS.

The Attorney General concluded with some burning words about the cuttlefish tactics of the respondents, in their trying to raise a cloud of sepias to darken the reputation of a gentleman who had been for many years an honored member of the California bar. Judge Humphreys had told of his having been shown a document by Mr. Highton in Cunha's saloon—as if he wanted to create the impression that Mr. Highton was intoxicated—but had to take the statement back.

The incident in their office reflected less credit on the respondents than it did on Mr. Highton. Here was a man of over 70 years of age, cowardly attacked by them in their own office, Humphreys calling in his partner as if afraid to attack the visitor alone.

### HUMPHREYS BEGINS.

Mr. Humphreys began his argument for himself by explaining why he had changed his mind about submitting his case on the evidence. It was on account of the unfair and biased argument to which he had listened. The matter was one that affected the integrity of the court, for he believed that practitioners, as officers of courts, ought to be almost as much above reproach as the twelve men who followed the Prince of Peace through Galilee.

Lawyers were the most abused class of people on earth. He agreed with the prosecution that they ought to be held to the rigid performance of their duties and obligations.

Reference was made to the environment of the case. The prosecuting witness was a man eighty-seven years of age, apparently ready to walk beside the beautiful river. His possession of \$110,000 and its partial distribution had caused an impression in the community that his attorneys had betrayed him. All the circumstances were such as to create prejudice against the respondents, making an environment which appealed to the conscience and the solemn responsibility of the court.

Mr. Humphreys quoted a passage from Sir Matthew Hale about a certain crime which, more than any other, incited a populace to mob violence and applied Sir Matthew's caution in that regard to the present case. Replying to Mr. Weaver's citation of law against him, he said that from start to finish there had been no offer by him to refund one dollar to John K. Sumner.

### CITES A JUSTICE.

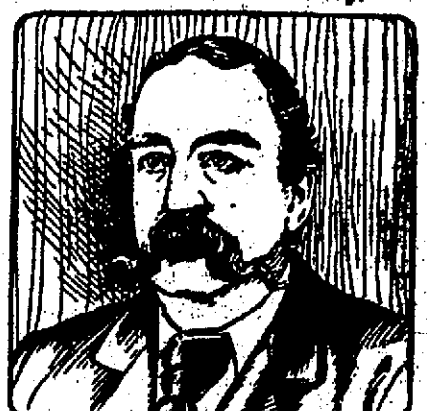
The money was taken from Sumner by a mistake in which one of the Justices of that court had participated. It was taken under a persistent and determined claim of right.

The speaker read an anecdote illustrative of Roman law, the point of which was contained in the query of Julian:

"If it is sufficient to accuse, what will become of the innocent?"

## Cools the Blood

Hot weather takes the life out of everybody. You become languid, debilitated, nervous, depressed. You lose your appetite and you have indigestion. Your blood becomes impure, your head aches, your nerves are weak, and you are tired all the time. You want something to purify your blood and make it cool and healthy.



Mr. Giovanni D'Nesi, of Parkside, South Australia, tells you that he may be done. He sends his photograph also.

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**T. K. JAMES, Proprietor.**

Private apartments, en suite and single. Finest appointed and furnished house in Hawaii. Mosquito proof throughout. Hotel street, near Alakea.

He quoted Mr. Highton's testimony of that afternoon regarding his entry of the record as attorney for another than his (Highton's) real client as an illustration and justification of his own (Humphreys's) seemingly dual position in the Sumner litigation. Both were cases of identity of interests.

**INTERRUPTED BY ILLNESS.**  
With regard to Thompson's preparation of the receipts, everyone knew that it was common law that receipts were mere memoranda. The speaker continued to argue on the evidence for some minutes, then asked the indulgence of the court to continue the proceedings for the day, as he had been taken with illness.

The court accordingly adjourned somewhat before 6 o'clock till 10 o'clock this morning.



**Germany-Dresden Fire Insurance Co.**

The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of

F. A. SCHAEFER & CO., Agts.

**German Lloyd Marine Insurance Co. OF BERLIN.****Fortuna General Insurance Co. OF BERLIN.**

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

**General Insurance Co. for Sea River and Land Transport. of Dresden.**

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., Agents for the Hawaiian Islands.

**YOUR SUGAR CROP**

Depends on the right quantity and quality of Ammoniates it has to feed upon. Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars' worth of

**NITRATE OF SODA**

(The Standard Ammoniate)

fed to each acre of growing cane will give surprising results.

Planters should read our Bulletins giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

WILLIAM S. MYERS, Director.  
12-16 John St., New York,  
U. S. A.

**MACFARLANE LOSES A FINE WATCH**

While Clarence Macfarlane and party were on their cruise in La Paloma the host missed a valuable gold watch which so far has not been recovered. It may have been lost. While hunting on Molokai Macfarlane had occasion to look at the watch, and it is possible that he did not put it safely in his belt and it dropped on the ground. However the next day one of the sailors said that he had seen it in a drawer on board the boat and Macfarlane suspected the man of taking it. The latter came to town yesterday evening and was immediately brought to the police station for investigation, but he told a straight story and as nothing was found about him he was allowed to go. Further search will be made for the watch which is highly prized by the owner.

**IMPORTANT FACTS.**

Deaths from what is called heart disease, or heart failure, seem to be increasing among us. The only true heart failure is a mechanical derangement of the valves of the heart from previous inflammation of its lining. One may have this and live out all his days. It is not this malady that is dropping people in their tracks as though by pistol shots. Oh! no. What then? It is a symptom, often manifested in the heart, of a general condition. The actual cause of the sudden ending of so many lives is nervous prostration, anemia or poverty of the blood, general debility and the poor digestion and assimilation of food. The nerves tremble and ache because they are half starved, and the heart weakens because the nerves do not give it the needed impulse. A person with a vitalized and well-nourished body will never suffer from heart trouble; and the remedy to accomplish this is the effective food medicine **WAMPOLE'S PREPARATION**. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. It purifies the blood, stimulates every organ and builds up the body as mechanics build a house. Dr. A. D. Garay, says: "I have obtained very satisfactory results from prescribing it in cases of Anemia, Chlorosis, Neurasthenia and other diseases that leave the patient with a very weak constitution and poor blood; it always improved them and increased their weight." It is a product of the most advanced medical knowledge and experience. "You cannot be disappointed in it." It is effective from the first dose. Sold by chemists here and everywhere.

**CAMPBELL'S NAME CAUSED MORE BICKERING IN HOUSE**

(Continued from Page 1)

**CONEY CLAIM BILL PASSES.**

The third reading of House bill No. 9, the Coney estate claim for road damages, came up and there was a long debate over it. Superintendent Cooper was summoned by Speaker Beckley and he made a statement in which he said that there had been submitted to him the will of Mr. Coney, under which there was a question as to the right of the executor to convey the right of way to the government. He therefore suggested that there be a bill, appropriating a sum sufficient to meet the demand, yet leaving the decision as to the amount to be adjudged as due.

Under questioning from Andrade, Kumalae, Harris and others, Mr. Cooper said the tenancy of the forest reserve was at will and was abandoned by the government, while Capt. King was Secretary of the Interior. He said that the road had been used for ten years and was very necessary to the people who had purchased the mauka lands and should not be closed.

He said that there were betterments, but he could not say whether or not these were waived. The Coney estate lands had been all made accessible. He said that the government never had received more than \$600 an acre for lands there. The bill was at once put on its third reading and was passed by ayes 22, noes 4.

The Board of Health unpaid bills act was then taken up and passed second reading.

**FIGHT OVER CAMPBELL.**

The Eighteen Months Salary bill was read through and recess was taken. Upon reconvening, the question came upon the passage of the measure, but Fernandez discovered the item "Supervising Engineer, \$4500", under the Department of Public Works. He said he had heard this was meant to provide for Marston Campbell, and he therefore moved to strike out the item.

Harris called attention to the facts that there should be an engineer, a competent person who might assist the Superintendent of Public Works in the construction of public works. Oll attacked Campbell and Harris insisted that he was discussing places and not men; that the Superintendent should have skilled assistants to consider business matters.

**FERNANDEZ TO THE FRONT.** Fernandez took up the attack upon Campbell, quoting the committee report bearing upon the Bishop street-Iwilei road blocks saying that he should be retired. Harris made the point that Marston Campbell was not under consideration, but Fernandez was permitted to continue, as he had asked for whom the place was being made and Kumalae laughingly had said Campbell.

Aylett said the importance of the office was such that there should be no question as to the making of provision for the proper expert assistance to the superintendent. Kumalae said he was convinced that the item was there simply for the purpose of providing a place for Campbell. He said that those who knew said there was no necessity for an official such as is asked for here. Kumalae declared that the sole reason for passing the resolution asking Cooper to remain in office was to prevent Campbell from securing the place. He said the money should be added to the sum for paying laborers.

Chillingworth appeared with the remark that he wanted to get at the truth of the matter, and that the Superintendent of Public Works was ready to appear before the House and explain the necessity for the item. On motion of Aylett, Mr. Cooper was requested to appear before the House, though Oll objected.

**MR. COOPER ANSWERS QUESTIONS.** Mr. Cooper appeared and Chillingworth said that the statement had been made that the officer was not needed. Mr. Cooper said that he had suggested to the Finance Committee that upon the going into effect of the County Act on January 1st a change in the organization of his office could be effected as he would not need all the machinery. "It goes without saying," he continued, "that I will need expert men to assist me in carrying out the large enterprises which are contemplated in this loan bill. I am not an expert in the construction of wharves and other works which have been proposed. I do not consider myself competent to undertake these things without suitable assistance behind me. I must have suitable help. It would be money in the pockets of the people if the work is all properly done. My intention is to secure the best man possible for the purpose."

Answering Mr. Harris, Mr. Cooper said he would not be competent to make drawings, draw specifications and make plans, adding: "I should feel helpless without a man specially educated in that line of work."

**WANTS FLAT ANSWER.** Fernandez took up the questioning trying to secure an answer that the Supervising Engineer was the Assistant Superintendent of Public Works and finally asking flatly if Marston Campbell would be the man chosen. All the answer he could get was that the best man for the place would be secured. Kanoho asked why a bill creating the office had not been drawn, but he was laughed out of court.

Kumalae asked if it was not a fact that the item was inserted because of the fear that the House would again cut out that office, but he was told squarely that Mr. Cooper had no fear that the Legislature would fail to treat wisely all the governmental affairs that might come up. Mr. Cooper showed that no law provided for the Assistant Superintendent only a provision in the appropriation bill. Kumalae then asked flatly if Campbell would not be employed, but Mr. Cooper said that he had not made up his mind. If Mr. Campbell did not come up to expectations, he said another man would be secured; personal friendship would

not enter into the matter, but the best man would be secured for the place. Lewis tried to secure an expression that the employment of engineers outside the department would be preferable, but Mr. Cooper showed the necessity for expert supervision.

**QUESTIONERS CALLED DOWN.**

Kumalae came to the front again, this time to know if Mr. Cooper considered himself competent to detect improper plans submitted to him and to ask what was considered a proper salary, Mr. Cooper saying he could tell when things are right and that a good man could not be had for less than \$250 or \$300 a month.

Paele wanted to know if Campbell was the only competent man in town and was told that there might be others, and then he rather impudently asked, if it was not the intention of the Superintendent to relegate him after the House had directed that he be discharged. Mr. Cooper asked that he be excused from answering the question, whereupon the Speaker declared that this was not a proper question. There was some further questioning in which Kupihua and Oll asked Mr. Cooper about his intentions in regard to his assistant, the matter being practically closed when Mr. Cooper said:

**WOULD NOT BE PLEDGED.**

"It is my duty to employ only competent men. I do not pledge myself in this matter, but I will see that only competent men are placed in office. I have paid the greatest respect to the wishes of the Legislature. This is the lawmaking body. If I am to do good work I must be surrounded by men in whom I have confidence."

After Mr. Cooper had retired Kumalae moved to amend the item so that it would read, "Supervising engineer, provided that it is not Marston Campbell, \$4500". Kanoho made a rambling statement after which the Kumalae amendment was voted down and the motion to strike out was lost by the close vote of twelve to thirteen, the roll call showing the following:

Ayes—Damiana, Fernandez, Kaili, Kanoho, Kealawa, Kou, Kumalae, Lewis, Oll, Paele, Purdy—12.  
Noes—Andrade, Aylett, Chillingworth, Gandall, Greenwell, Hale, Harris, Kellinot, Knudsen, Long, Nakaleka, Pele, Vida—13.

Immediately this was done, Kellinot moved that further consideration be postponed until tomorrow, which was agreed to.

Long then moved to reconsider the vote on the conference report on the Loan bill. Aylett said he was opposed to reconsideration. He said he would oppose the motion all the time, all he wanted was fair play. He was called to order when he tried to discuss the merits of the report. Again when in the course of the argument Aylett used the word "fraud", Fernandez called him to order.

The motion to reconsider was carried by thirteen to ten, and seeing the absence of sufficient votes to carry the Loan bill on third reading, consideration was ordered for this morning at 10 o'clock, and the House then adjourned.

**CONFERERS AGREE ON SALARIES**

The conference committee on the Six Months' Salary bill began work last evening and although some progress was made it was apparent that it will be only by the hardest work that the measure can be agreed upon and put through. The greatest help to the settlement of differences, was when the itemized payrolls of the police were passed, just as they had been prepared by the House, though some senators balked at first, saying that they were laying up trouble for future legislatures.

When the committee got to work the seven Senators and seven Representatives composing it were present and the committee got to work by the election of Senator Achi chairman, Clerk Savidge, secretary, and the Senate attendants to the same places.

The item providing for three stenographers of the First Circuit Court \$35,000; caused some discussion to settle the point as to the appointment of the reporters by the judges, that provision being made finally.

The interpreters of the courts caused long discussion, Chester Doyle coming in for a liberal criticism. The only interpreter whose salary was fixed was the Portuguese man, whose salary was placed at \$750, the Senate figure. All the others were deferred. The question of having the bailiffs appointed by the judges of the Circuit Court caused discussion enough to have elucidated the proposition, but there could be no agreement, and the item was deferred. The assistant to the Clerk of the District Court here was given \$450, a House amendment. The Senate however won on the Labaina District Magistrate, the salary being kept at \$900. The House item of clerk to the district court at Wailuku was stricken out but the House was given the \$800 salary for the district magistrate of Makawao. When the Lanai district judge was reached, after differences which caused deferring of three items, the Senate won at \$150 and the same was placed at Kalaupapa.

The Senate won its figures for the district judges the Kohalas and likewise the third circuit clerk. The House was given the increase of \$50 for the Kau judge and the \$300 increase of assistant clerk of the fourth circuit. The District Court Clerk at South Hilo was given \$600. The Kaula judges will get \$250 the Senate voted. The deputy sheriff's clerk and the deputy jailor, House items were agreed to and the police pay was then taken up.

There was a nice little fight over the itemizing of the pay but finally the House won and all of the police pay rolls, with those of the jailors and guards, were passed as the House arranged them. The deputy sheriff of Kaula was put back to the Senate figure of \$750 instead of \$1050 as the House voted.

There was a liberal argument over the Ewa and Waiwae question, McCandless making a defense of Waiwae, which the House had combined with Ewa, in phraseology, to meet the law. A special committee, Kumalae, McCandless and Woods, will visit the Attorney General for elucidation.

The bookkeeper and deputy registrar in the Treasury department was placed at \$1650 the Senate figure and the stenographer was placed at \$900, the House increase. The book clerk in the Registry office was increased to \$80 a month.

**IN THE SENATE.**

The Senate refused to adopt the afterthought of providing for Government band excursions to the other islands, notwithstanding the liability of that kind just incurred by the band's attendance at the celebration of the Fourth in Hilo. Senator Isenberg made the motion and Senator Kalauokalani seconded it, to lay on the table House Bill No. 3 appropriating \$2000 for defraying the expenses of the band in "touring the other islands," when it came up for second reading.

Sensor McCandless hoped the motion would be withdrawn, mentioning the liability for the recent Hilo trip.

It was to no avail. Senator Paris and the Home Rule row supported the motion. The bill was tabled by five to four.

House Bill No. 7, appropriating \$1000 for E. P. Dole's expenses in appearing before the Supreme Court at Washington, passed second reading.

The House sent in its lists of conference committees, respectively, on the six-month salaries and the eighteen-month current expenses bills.

Nineteen minutes after opening the Senate took recess till 2 p. m.

After a long wait for a quorum in the afternoon, the Senate took up the House bill appropriating \$12,000 to pay the Coney Estate land damages for the Tantalus road. A motion to lay on the table was lost and the bill passed first reading. This was all the business done.

The evening session of the Senate was simply the calling together of the body and then an adjournment.

**IT'S ALL TALK**

Yes, But it is Honolulu Talk the Kind that Counts in Honolulu.

Talk that tells.  
Talk that's endorsed.  
Every day talk by people who know.  
City talk, kidney talk.  
Do kidneys talk?  
Well, yes, both loud and long.  
You should learn the kidney language.

Backache in kidney talk means kidney ache.

Lame back means lame kidneys.

A bad back is simply

The kidneys talking trouble.

Here's Honolulu talk and kidney talk:

Mrs. Grace Dodd of 524 Young street,

this city, informs us: "My sufferings

were of a complicated nature; I had

enlargement of the liver, according to

the doctors' diagnosis, and besides

this was troubled with severe pains in

the right side, and a lame back. I

had these backache pains for two

years, and so severe were they at times

that they prevented me from sleeping.

All the medicines I tried were of no

avail until I got some of Doan's Back-

ache Kidney Pills at the Hollister

Drug Co.'s store, and used them. The

benefit obtained was wonderful; the

backache was entirely relieved and I

cannot be too grateful for this since I

now enjoy good sleep—one of the chief

of Nature's blessings."

It is important to get the same medicine

which helped Mrs. Dodd—DOAN'S

BACKACHE KIDNEY PILLS. Therefore

ask for Doan's Backache Kidney

Pills.

Doan's Backache Kidney Pills are

sold by all chemists and storekeepers

at 50 cents per box, six boxes \$2.50, or

will be mailed on receipt of price by

the Hollister Drug Co., Honolulu,

wholesale agents for the Hawaiian

Islands.

**THE TEACHERS' ASSOCIATION**

Following is the program of the Territorial Teachers' Association at the High School, Friday afternoon, at 2:30 o'clock:

Music—Normal School Boys.

School as a Factor in Community

Life—J. C. Davis, Hanalei, Kauai.

Astronomy a Topic for Home Geog-

raphy—D. D. Baldwin, Hamakua, Maui.

Music in Our Schools—S. R. Dowdle,

Makawao.

Present Trend in Education—Prof.

George Rebec, University of Michigan.

Music, Cradle Song (Mendelssohn)—

Miss Florence Hill.

Minutes of Last Annual Meeting—

Mrs. Letitia Walker, Secretary.

Report of School Work on Other

Islands: Oahu, Mrs. S. D. Heapy; Ha-

wai, Mr. C. W. Baldwin; Maui, Mr. C.

E. King; Kauai, Mr. J. C. Davis.

Other Unfinished Business.

Election of Officers.

Music, "Aloha Oe"—Normal School

Boys.

♦♦♦♦♦

The Bank of Hawaii will establish a

branch at Lihue, Kauai, the middle of

this month. It will have a savings de-

partment. People on other islands

where banks are recent institutions

wonder. President Cooke says, how

they ever got along without local bank-

ing facilities.

♦♦♦♦♦

SUMMER COMPLAINT is the children's

most dangerous enemy and the

mother's most dreaded foe. Immediate

and proper treatment is always neces-

sary. Chamberlain's Colic, Cholera

and Diarrhoea Remedy, given accord-

ing to directions, is the most effective

remedy known. Every household

should have a bottle at hand. Get it

today. It may save a life. All Dealers

and Druggists sell it. Benzon, Smith

& Co., Ltd., Agents for Hawaii.

**FOR BABY'S SKIN SCALP AND HAIR****Something for Mothers to Think About**

**EVERY CHILD** born into the world with an inherited or early developed tendency to distressing, disfiguring humours of the skin, scalp, and blood, becomes an object of the most tender solicitude, not only because of its suffering but because of the dreadful fear that the disfiguration is to be lifelong and mar its future happiness and prosperity. Hence it becomes the duty of mothers of such afflicted children to acquaint themselves with the best, the purest, and most effective treatment available.

That warm baths with CUTICURA SOAP to cleanse the skin and scalp of crusts and scales and gentle applications of CUTICURA Ointment to instantly allay itching, irritation, and inflammation, and soothe and heal, to be followed in the severest cases by mild doses of CUTICURA RESOLVENT are all that can be desired for the alleviation of the suffering of skin-tormented infants and children and the comfort of worn-out worried mothers has been demonstrated in countless homes in every land. Their absolute safety, purity, and sweetness, instantaneous and grateful relief, speedy cure, and great economy leave nothing more to be desired by anxious parents.

**Complete External and Internal Treatment for Every Humour.** Consisting of CUTICURA SOAP, to cleanse the skin and scalp of crusts and scales, and soothe the thickened cuticle, CUTICURA Ointment, to instantly allay itching and irritation, and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. Sold throughout the world. Ask Depot: R. TOWNS & CO., Sydney, N. S. W. So. African Depot: LYNKON LTD., Cape Town. "How to Cure Baby Humours," free. FORTER DRUG AND CHEM. CO., Boston, U. S. A., Sole Props., CUTICURA REMEDIES.

A man to whom illness was chronic  
When told that he needed a tonic,  
Said, "Oh, doctor, dear,  
Won't you please make it beer?"  
"No, no," said the doc,  
"That's Teutonic."

Notwithstanding—there is no tonic to equal the wonderful properties of

**PRIMO LAGER**

REMEMBER—IT'S PURE.

**THE Official and Commercial Record**

ISSUED  
MONDAYS AND THURSDAYS

BY THE  
**Hawaiian Gazette Co., Ltd.**

VON HOLT BLOCK, KING ST.

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Subscribe Now and Obtain a Complete File. Issued Mondays and Thursdays.





ARRIVED.

Tuesday, July 7.  
Stmr. W. G. Hall, Thompson, from Lahaina, Maalaea, Kona and Kau ports, at 5:05 a. m., with 5000 bags sugar, 167 sacks bananas, 28 head cattle, 135 bags taro, 34 hogs, 37 crates honey, 15 crates fruits, 13 tins and pkgs. butter, 15 crates pears, 13 bags awa, 10 crates pineapples, 10 crates papayas, 10 bags coffee, 7 crates chickens, 300 pkgs. sundries.

Wednesday, July 8.  
Stmr. Kauai, Bruhn, from Kauai ports, at 6:30 a. m.  
Am. bk. Olympic, Evans, 40 days from Iquique, at 8 a. m.  
Am. bk. Kalulani, Colly, 14 days from San Francisco, at 2 p. m.  
Am. chr. S. T. Alexander, Johnson, 53 days from Newcastle, at 6 p. m.  
Schr. Mol Wahine, from Kohala, at 6:05 p. m.

Thursday, July 9.  
S. S. Nevada, Weedon, from Kahului.  
Stmr. Mikahala, Gregory, from Kauai ports, at 8:30 a. m.  
Am. schr. Mildred Kendall, 32 days from Ballard.  
Stmr. Lehua, Naopala, from Molokai.  
Stmr. Helene, Nicholson, from Hawaii ports, at 2 a. m.

DEPARTED.

Tuesday, July 7.  
Schr. Kawallani, Ulunahale, for Koolau ports, at 4 p. m.  
Stmr. J. A. Cummins, D. Bennett, for Koolau ports, at 9:15 a. m.  
Gaso. schr. Eclipse, Gahan, for Maui and Kohala ports and Kailua, at 5 p. m.

Stmr. Mikahala, Gregory, for Kauai ports, at 5 p. m.  
Stmr. Lehua, Napala, for Molokai ports, at 5 p. m.  
Stmr. Kinahu, Freeman, for Hilo and way ports, at noon.  
Stmr. Claudine, Parker, for Maui ports, at 5 p. m.

Wednesday, July 8.  
Am. bktn. Amelia, Witter, for the Sound at 11:20 a. m.  
Am. btt. S. N. Castle, Nilson, for San Francisco, at 1:36 p. m.  
Stmr. Nihed, Thompson, for Waimaea, at 5 p. m.

Thursday, July 9.  
Stmr. Lehua, Naopala, for Maui, Lanai and Molokai ports, at 5 p. m.  
Stmr. Kauai, Bruhn, for Eleale, Hanalei, Makaweli, Waimaea and Kekaha; mail and passengers only for Niihau and Koloa, at 5 p. m.  
Stmr. Mikahala, Gregory, for Anahola, with coal, at 5 p. m.  
Am. schr. Gamble, Knudsen, for Port Gamble, in ballast, at 4:30 p. m.

PASSENGERS.

Arrived.

Per stmr. W. G. Hall, July 7, from Kau and the Volcano: F. Thomas and wife, A. C. Lovick, Miss L. N. Melnecke, Tsuyama, Mrs. C. McKenzie, H. Kumalae, Miss Post, Miss Weir, Miss Honer, Mrs. E. Girard, Miss McPherson, Miss Neumann, M. Malakawa, Ferdinand Lindermann, K. Rohina, W. W. Gajune, Miss Rockford, Miss Sturtevant, Miss Putham, A. Marcellino, from Kona ports, L. K. Kauwe, Miss S. W. Kaai, Miss Kamaouha, E. E. Conant, M. F. Scott, Father Victor, Harold Windsor, Miss Mary Wright, Miss Abbie Wilson, W. A. Wall, Miss F. J. Scott, from Maui ports, C. H. Pickard, C. A. Bellina, Mrs. Balles, E. Kruse, Miss N. A. Holden, T. H. Petrie, E. C. Brown, Pang See, A. Enos and wife, Mrs. Harry.

Per stmr. Kauai, July 8, from Kauai ports—Mrs. Stanley, Mrs. C. B. Hoffgaard, Miss G. Hoffgaard, Master Stanley, Lady Heron, Miss Dunford, Mrs. E. S. Conant and two servants, Mrs. Daisy Neal, Master E. Conant, Miss L. Conant, Miss F. Conant, Mr. Kematsu, C. F. Rodriguez, Captain Selier, Mrs. Siele, Miss A. Macfarlane, Master Guy Macfarlane and 119 deck.

From Molokai ports, per stmr. Lehua, July 9—Jack McVeigh, Dr. McDonald, Mrs. S. Kekoaui.

From Kauai ports, per stmr. Mikahala, July 9—G. N. Wilcox, A. S. Wilcox, W. Charman.

Departed.

Per stmr. Claudine, July 7, for Kahului Rev. J. Nua, Rev. M. Tuli, Rev. G. Tanaka, J. F. Turner and wife, G. B. Robertson, Mrs. Soga and child, H. Giles, H. A. O. Giles, Dr. W. G. Rogers, Miss Rebecca Ahu, Mrs. Heapy, Miss Cunningham, Miss C. H. Nicke, James Kirkland, H. G. Ramsay, for Huelo, J. R. Meyers, Miss Violet Lima, for Hana, Rev. E. M. Hanuna, for Kilauea, Mrs. C. A. Wells and 2 children, for Lahaina, Mrs. Kawenokole, Mrs. Hala and 2 children, Rev. C. K. Pa.

Per stmr. Kinahu, July 7, for Hilo, Rev. W. Yajima, S. A. Macy, A. Hapal, H. K. Schofield, J. T. Brown, Mrs. C. Hitchcock, S. B. Rose, C. T. Littlejohn, J. M. Ost, Miss L. Martin, S. E. Kennedy, J. D. Kennedy, A. Lindsay, G. C. Stratmeyer, Dr. Kukui and wife, for Mahukona, L. Ahlo, T. Taylor, J. O. Carter, Jr., Theodore Wolf, C. Kaiser, Mrs. J. H. Mackenzie and son, C. J. Fick, S. W. Kekuwa and wife, for the volcano, Miss Hoffman and maid, Mr. Madler, Mr. Ricken, Mr. Ziecke, A. Hocking and wife, C. C. Bittling, for Makana, Master Charles Herbert, for Kawaihae, J. D. Koki, Laulani Koki, T. Paakiki, J. T. Rawlins, Miss M. Kamaana, for Maalaea, Miss W. Morgan, Miss L. Williams, Miss Capt. Johnson, Mrs. Major Harris, Adjutant, Col. Major Harris, for Lahaina, Mr. Leonard J. A. M. Johnson.

Per stmr. Mikahala, for Kauai ports July 7—Mrs. A. Sorenson, Miss Rorden, Miss Andrews, Katie Christian, W. Bluhdt, Mrs. Jannet Isaac Malohe, Judge Kapoho, Miss D. Sorenson, Emma Christian, Eddie Schleber, Mrs. Robinson, W. Ellis, Miss Ellen Kalawa.

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**THE OLD RELIABLE**  
**ROYAL**  
**BAKING POWDER**  
Absolutely Pure  
**THERE IS NO SUBSTITUTE**

## Shipping Notes.

(From Wednesday's Daily.)

The Mikahala left for Kauai ports at 5 p. m. yesterday.

The S. S. Nebraskan leaves Seattle and Tacoma for this port on July 15.

The Kinahu left for Hilo and way ports yesterday at noon with a good sized passenger list.

The next mail from the coast comes by the Alameda which is due here on Friday morning.

The Mauna Loa goes into commission today after having been laid up for some time for repairs.

A gasoline launch ran into the stern of the J. A. Cummins on Monday evening. No special damage was done.

The S. S. Arizonan sails from New York for this port on July 25, followed by the S. S. American on August 15.

The Gerard C. Tobey is discharging three hundred tons of coal into the Niihau. She is laying at the Pacific Mail wharf.

The British ship Dechmont moved from the stream to the Bishop wharf yesterday, where she will commence discharging.

While the Gerard Tobey was unloading coal yesterday a sailor got his foot in a running rope and was jerked into the air. The engine was stopped, however, and he was rescued with no further damage than a few sore spots caused by his falling on the coal.

The steamer W. G. Hall arrived from Hawaii and Maui ports yesterday morning. This is the last time that the Hall will run on the Hawaii-Maui trip, the Mauna Loa resuming her old run on Friday. The Hall will then go back to her old Kauai run. She brought a large amount of freight and a number of passengers for this port.

There will be some change among the captains of the Wilder fleet on the arrival of the steamer Helene from Hawaii ports. Captain Nicholson the present commander leaves the Wilder's employ to accept the position of pilot at Kahului harbor, and his berth is taken by Captain Nelson of the Hawaii. Captain Bennett of the J. A. Cummins will replace Capt. Nelson in the Hawaii.

(From Thursday's Daily.)

The Niihau sailed yesterday afternoon for Waimaea.

The schooner Rosemond will sail tomorrow morning at ten o'clock for San Francisco.

The Acme will sail on Saturday for Delaware Breakwater. She will take 2635 tons of sugar.

Governor Dole will go to Lanai in the U. S. S. Iroquois next Wednesday to investigate land matters.

Work on the new Oceanic docks is progressing rapidly. Preparations are now being made to put in the new piling.

The Marine Exchange of San Francisco will establish offices in Honolulu soon. R. B. Kidd is to be the local superintendent.

The Kauai got in from Kauai ports early yesterday morning. She brought a number of teachers who will attend the Summer School.

The Anglia will probably have to repair her propellers while in port here. Both are out of plumb and new blades may have to be substituted.

The O. & O. S. Coptic reports having called off Midway Island, June 13, to land mail for the U. S. naval authorities and the Cable Co. The Captain of the U. S. S. Iroquois boarded the Coptic and reported all in order—Japan Gazette.

## Hawaii Schooner Service.

Mr McDougall of Hawaii thinks of starting a schooner service to encircle the island of Hawaii. While it is not known whether any schooners have been secured as yet, if the line is established there will be several boats which will stop at all the principal ports of the big island, on their way to and from Hilo, which will be the home port.

A SEVERE SPLAIN usually disables the injured person for three or four weeks. Cures have often been effected in less than one week by applying Chamberlain's Pain Balm. This liniment has great healing power. One application gives relief. Try it. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

Lau Chin, Kun Wang, E. A. Irish and wife, S. Bauman, S. Christley, L. S. Ginklo.

Per stmr. Lehua for Molokai, July 7—Miss Louisa Pihl, Rev. J. K. Kaunani.

Per stmr. Kauai, for Kauai ports July 9—Octave Block, L. Weinshelzer, Bishop Restarick, P. J. Cross, Mrs. Kaha, Miss Kaha, Capt. Seeley and wife, E. Kaha, Rev. J. B. Hale, Jim Lie and wife.

The Helene arrived from Hawaii ports yesterday morning with 12000 bags of sugar. It is probable that Captain Nicholson will make one more trip in the Helene before taking up his new duties as pilot at Kahului harbor.

## HOUSE DECIDES TO WAIT WITH THE LOAN BILL

(Continued from page 5.)

came on Senator Woods's proposal and it was defeated and immediately there was made a motion to adjourn, and report to the two houses that it was impossible to agree and ask for another conference.

Kuphea objected to adjournment declaring that he felt that there must be an agreement today if it was to be hoped that there would be any passing of the appropriation bills. The loan bill must go through, he said, but it could not be passed without the general appropriation bills going through. He said that Saturday should not be counted; that the bills should be passed on Friday.

## ADJOURN WITHOUT AGREEMENT.

The majority of the Senators voted to adjourn, but the four House members who had refused all compromises would not vote to adjourn, there being nine votes for adjournment.

The bill still has nine items in dispute. These are the Japanese interpreter; district magistrate, Molokai; Assistant Superintendent of Public Works; clerks in office of Assistant Superintendent; Superintendent of Public Instruction; Assistant Secretary and School Agent for Honolulu; First Assistant in Survey Office; Auditor; Deputy Auditor.

The major portion of the other differences were agreed to at a meeting held yesterday morning.

## IN THE SENATE

Vice President Paris took the chair at the opening of the Senate yesterday morning, President Crabbe taking a seat in Senator Cecil Brown's place.

## THE CONEY BILL.

Senator McCandless presented the following report on the Tantalus road bill, signed by L. L. McCandless, J. D. Paris and J. B. Kaohi:

Honolulu, H. T., July 9th, 1933.

Honorable Clarence L. Crabbe, President of the Senate.

Sir: Your Standing Committee on Public Lands, Internal Improvements, Agriculture, etc., to which was referred House Bill No. 9, entitled "An Act making an appropriation for the purchase by the Government of the Territory of Hawaii of the right-of-way on the land of the Coney Estate, Tantalus Ridge, (Kalaehine)," beg leave to report that they have had the same under consideration.

Your committee has obtained a copy of the last Will and Testament of John H. Coney, deceased, and would beg leave to quote a portion of said document as follows:

"And it is my wish and desire that my said sister shall have the charge and care under my said Executive and Trustees of all my real estate; And that my said Executors and Trustees shall be at liberty with the consent of my said wife and sister and subject to the approval of a Judge of the Supreme Court, to sell all or any part of my real estate as may be deemed advisable."

Your Committee has further found that on the 9th day of May, 1894, Mrs. A. A. Isaacson, sole Executrix and Trustee of the late Will and Testament of the late John H. Coney, by and with the consent of Mrs. John H. Coney, widow of said John H. Coney, and also with the consent of A. F. Judd, Chief Justice, Supreme Court, sold and conveyed unto James A. Kings, then Minister of the Interior of the Hawaiian Islands, by Deed on record in Liber 148, pages 1 and 2, the following:

"All right, title and interest of the said estate of John H. Coney in and to a right-of-way approximately 60 feet wide, and to over a certain road or way lately formed, laid out and constructed to and over the certain land of Kalaehine, with the right, from time to time and at all times hereafter and at the will and pleasure of said James A. Kings and for all purposes to freely pass and re-pass on foot or on horse and carriages, laden or unladen, or with animals or vehicles, loaded or otherwise through the above-described land."

From the facts found by your committee it is impossible for us to do otherwise than recommend that the bill be laid on the table.

Respectfully submitted,  
L. L. McCANDLESS,  
J. D. PARIS,  
J. B. KAOHI.

Senator Kaohi moved the report be adopted, which was seconded.

## SOME LEGAL DOUBT.

President Crabbe said there seemed to be some doubt about the question. The heirs of the Coney estate claimed that the sister and widow of John H. Coney had no right to sell any part of the real estate during the minority of the children. The speaker and his brothers had suffered the same way from the administration of the Meek estate. It seemed to him small business on the part of the Government, while having control of the property, under a lease, to take land for a road and afterward throw the leasehold back on the estate. Superintendent Cooper said \$12,000 was right. Its payment would be subject to an order of court or of a commissioner. Of course there was an increase of value of the remainder of the property through road betterment. All the same, the sale to the Government did not seem just to the heirs.

## THE ESTATE BENEFITED

Senator McCandless quoted from a copy of the will he had procured, and argued that it must have cost \$20,000 to put the road up there. It was an immense benefit to the estate. Moreover, according to the will, the children were entitled to but half of the property, so that there was not the least doubt the government owned one-half of the portion bought for right of way.

He did not believe the Coney estate had a bit of right to the land under the terms of the will.

Senator Achi, being answered by Senator McCandless that there had been no judicial decision, said he had an amendment to offer to the bill.

A motion was then made and carried to receive the report and consider it with the bill.

## AWAIT HOUSE ACTION.

Senator Dickey presented the report of the conference committee on Senate bill No. 9, eighteen months' current revenue appropriations, recommending the adoption of the House amendments with certain changes agreed upon in conference which have been already reported.

President Crabbe moved and Senator Baldwin seconded, that the report be adopted. Senator Dickey suggested that the correct practice would be to await action of the House, which was done.

## BAND EXPENSES.

The bill appropriating \$2000 for expenses of the band in trips to the other islands passed third reading by the following vote, Senator Dickey having changed from no to aye:

Ayes—Achi, Baldwin, Crabbe, Dickey, Isenberg, Kalaokalani, McCandless, Nakapahu, Paris Woods—10.

Noes—Kaohi—1.

## AN OMISSION SUPPLIED.

House bill No. 10, appropriating \$4,984.28 for unpaid bills of the Government, came up for second reading.

President Crabbe moved to insert an item he had overlooked on Wednesday, being \$45 to pay the bill of the Second Circuit Court.

Senator McCandless wanted the bill referred to a committee, as he thought the debt was covered in the Emergency bill. He was not seconded and the bill passed as amended.

## CONEY BILL DEBATED.

The Coney bill came up for second reading and the committee's report was read again. Senator McCandless moved the report be adopted.

Senator Achi said there was some show for the claim of the Coney heirs. The statute of limitations had not run on the Government's adverse possession. The question ought to be decided by the courts. "No," he replied to a remark by Senator McCandless; "the Legislature is not settling it if you adopt the amendment I now move." This bill would prevent disagreeable complications, as the heirs might put fences across the road. He moved to add the words, "subject, however, to a decision of the Supreme Court on an agreed statement of facts, or other proceedings."

President Crabbe stated that his experience with the Meek estate was that suggested by the previous speaker. It was a matter of \$30,000 or \$40,000 to him, but he lost his claim to land in Beretania street on the plea of adverse possession raised against him. The Coney estate had another year before it could be shut out by adverse possession.

Senator Baldwin moved to add to the amendment the words "of the courts."

## YELLOW DOG TREATMENT.

Senator McCandless complained of a seeming disposition to pay no attention to the committee's work. They were against taking up the investigation because they thought it a matter for the courts. There was no more attention paid to the committee than if it were a yellow dog. (Laughter.)

He thought further that this Legislature, the Senate itself, had been made a stool pigeon for anything that came along. There was a deed that showed the Government was absolute owner of that land, with the will behind it showing that the executrix had absolute power to sell the land. The land would have been nothing but a cow pasture if it had not been for that road. The Legislature was not taking this phase of the matter into consideration at all. The bill provided for \$12,000, while the tax books showed that the estate only owned \$60,000 worth of land on Tantalus.

There was 92 acres of land. The Government had not taken more than one-thirtieth, but the estate claims one-fifth of the value. Then if the heirs did have an interest in the land sold, it was only a one-half interest. The Government was not going to economize—it was against all experience—if the Legislature voted the entire amount claimed.

President Crabbe asked why the committee did not recommend going to the courts. He agreed with the Senator about the betterment of the property remaining to the heirs, but the Government's title would not be clear until the ten years were up. In answer to a remark about the will by Senator McCandless the President asked how many wills like that one had not been broken. If his claim had been five years later he could have broken his grandfather's will. At least ten lawyers had so informed him. The report of the committee was all right, but he did not think they ought to shut out the Coney estate where there was a doubt.

## TRUSTS THE COURTS

Senator Baldwin had intended to support the report, but a remark of the chairman indicated something was left out of the report. That was about the half-interest of the children. He did not see that it was a risk to leave the matter to the Supreme Court. He thought it was safe to leave anything to the Supreme Court of this country. They were human but honest. It was probably cheaper for the Government to settle the price now if it had to pay for the land.

## BELIEVES IT UNWISE

Senator Paris, the President having taken the chair, amidst a running fire of interruptions from Senator Achi, who charged him with discrediting the Supreme Court, said when he saw the matter first he thought it should be left to the courts, but when he saw

the will and the deed he could see no use in appropriating money.

Senator Baldwin said the Coney could not sue without the consent of the Government and this bill would show the Government that the Legislature approved of submitting it to the courts.

Senator Paris replied that it was easier for the Government to expend the money once it was appropriated. He had perfect confidence in the integrity of the Supreme Court, but did not believe that appropriating money in this way was wise.

President Crabbe stated that the only reason he opposed adoption of the report was that he saw a chance for a decision of the Supreme Court.

## AMENDED AND PASSED.

The motion to adopt the report of the committee received only the votes of the three Public Lands committeemen. The amendment carried with Senator Baldwin's addition, and the bill as amended passed second reading, to be read a third time today.

## MATTERS DEFERRED.

A message from the House announced its adoption of the report of the conference committee on Senate bill No. 9.

Senator Dickey caused the suspension of a motion to adopt the same report by stating that the clerk informed him that the correct footing did not agree with the total mentioned in the first section. The discrepancy arose from neglect to set forth a House amendment increasing the Kaplanian park item from \$3600 to \$5000.

The report was deferred till 3 o'clock. House concurrent resolution, by Representative Kumalae, fixing the minimum wages of road laborers at \$1.50 a day came up by another message.

Senator Isenberg asked for a ruling if it should not be a joint resolution to be signed by the Governor.

The President gave an opinion in the negative.

On motion of Senator Paris the resolution was deferred till Saturday.

The Senate shortly after 11 o'clock took recess until 3 p. m.

## EIGHTEEN MONTHS BILL.

When the Senate met at 3 o'clock there were nine members present. The conference committee report on the Eighteen Months' Current Account measure was received and accepted, and the bill was passed third reading.

The Andrade joint resolution was received from the House but President Crabbe was not ready to see action just now, saying that he had asked Senator Baldwin to see the Governor to ask his opinion as to the competency of the resolution at this time.

Senator Achi reported verbally that the conference committee on Senate bill No. 2, the Six Months Salary bill, had been unable to agree, and had adjourned. There was some discussion over the course to be pursued, and finally it was decided that a written report should be made by Senator Achi, when it may be decided that the committee will be discharged and a new conference asked. The Senate then adjourned.

## WANT BAGGAGE ORDER MODIFIED

Hackfeld & Co., agents for the Pacific Mail and other Oriental lines have sent a request to the Secretary of the Treasury asking that the baggage order recently issued be modified. The order requires that all hand baggage of passengers on through steamers be examined by the customs officers at this port, and Hackfeld & Co. ask for a modification in order to prevent delay of the steamers at this port.

So far there has not been the slightest complaint from passengers because of the new order, and some have wanted all their baggage examined here so as to avoid delay in San Francisco. There has been no request so far for a withdrawal of the order by the commercial organizations of the city. It will not be surprising if the regulation is changed in some way after the working of it has shown any defects which there may be.

## Another Derelict.

Commander C. W. Bennett, of the P. & O. steamer Ceylon, reported at Hongkong as follows: "On the 9th inst., in Lat. 14 20 N., Long. 112 45 E., we passed a submerged wreck, with one mast, and rigging attached, standing upright, about 10 feet above the water. This may probably be the same wreck that Capt. Owen of the S. S. Dragoman reported as having passed on the 30th March, 1932. It is directly in the track of ships using the main route between Singapore and Hongkong. Had we passed it in the daytime I would have stopped the ship, lowered a boat and discovered what sort of vessel it was."—Japan Gazette.

## MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF FORECLOSURE SALE.

In accordance with the provisions of a certain mortgage made by Kahl (w) and Kuali (k), to L. Ahlo, dated May 6, 1899, recorded in Liber 192, page 241, now held by A. N. Campbell, Trustee, as assignee, notice is hereby given that the mortgagee intends to foreclose the same for condition broken, to wit: non-payment of interest and principal when due.

Notice is likewise given that after the expiration of three weeks from the date of this notice, the property covered by said mortgage will be advertised for sale at public auction, at the auction rooms of Jas. F. Morgan, in Honolulu, on Saturday, the 25th day of July, 1933, at 12 noon of said day.

Further particulars can be had of W. R. Castle, attorney for mortgagee. Dated Honolulu, June 30, 1933.

A. N. CAMPBELL.

Assignee.

The premises covered by said mortgage consist of:

All those pieces or parcels of land situated in Kumuia, Paalaa, being two apasas described in R. P. 903, L. C. A. 2559 B, containing an area of 1 27-100 acres; also two pieces or parcels of land in Royal Patent 521, L. C. A. 2587, containing an area of 51-100 acres.

2500—July 10, 17, 24.

## BY AUTHORITY

## TERRITORY OF HAWAII.

Treasurer's Office, Honolulu, Oahu.  
In re Dissolution of the Judd & Company, Limited.

Whereas, the Judd & Company, Limited, a corporation established and existing under and by virtue of the laws of the Territory of Hawaii, has pursuant to law in such cases made and provided, duly filed in this office, a petition for the dissolution of the said corporation, together with a certificate thereto annexed as required by law.

Now, therefore, notice is hereby given to any and all persons that have been or are now interested in any manner whatsoever in the said corporation, that objections to the granting of the said petition must be filed in this office on or before 9 o'clock a. m., July 15th, 1933, and that any person or persons desiring to be heard thereon must be in attendance at the office of the undersigned, in the Capitol Building, Honolulu, at 9 o'clock a. m., of said day, to show cause, if any, why said petition should not be granted.

A. N. KAPOKAI,

Treasurer Territory of Hawaii.  
Honolulu, May 6th, 1933. 2487

## FORECLOSURES

## MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF FORECLOSURE SALE.

Notice is hereby given that pursuant to the power of sale contained in that certain mortgage dated December 20, 1900, made by Louis M. McKeague and Alia Akai McKeague, wife of said Louis M. McKeague, both of Honolulu, Island of Oahu, Territory of Hawaii, Mortgagees, to J. W. Leonhart, of Paaloa, Island of Hawaii, Territory aforesaid, Mortgagee, and recorded in the Registry Office, Oahu, in Liber 213, pages 439 to 442, the mortgagee intends to foreclose said mortgage for condition broken, to wit: the non-payment of principal and interest when due.

Notice is likewise given that the property conveyed by said mortgage will be sold at public auction at the auction rooms of James F. Morgan, Queen street, Honolulu, on Saturday, the 8th day of August, 1933, at 12 o'clock noon.